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THE PHARISEES

THE SOCIOLOGICAL BACKGROUND OF THEIR FAITH

VOLUME II

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THE MORRIS LOEB SERIES

THE PHARISEES

THE SOCIOLOGICAL BACKGROUND OF THEIR FAITH

BY

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TABLE OF CONTENTS

VOLUME II

PAGE

XVIII. THE IDEALS OF PEACE AND HUMAN EQUALITY DURING THE EXILE 443

XIX. SOCIAL AND POLITICAL CONFLICT UNDER THE PERSIAN RULE 500

XX. THE STRUGGLE AGAINST ASSIMILATION: JUDAISM BECOMES THE SYNAGOGUE.... 546

XXI. HELLENISTS, HASIDEANS AND PHARISEES.... 570

APPENDIX A. THE UNITY OF ISAIAH 40–66, AND THE PLACE AND DATE OF THE AUTHOR 627

APPENDIX B. THE MEANING OF EZEKIEL 1.1–2..... 632

APPENDIX C. ADDITIONAL CONTROVERSIES BETWEEN THE SECTS 637

NOTES 649

BIBLIOGRAPHY ON THE PHARISEES 711

GENERAL BIBLIOGRAPHY 719

INDEX TO PASSAGES 755

INDEX TO SUBJECTS 773

XVIII. THE IDEALS OF PEACE AND HUMAN EQUALITY DURING THE EXILE

The Babylonian exile, properly considered, was epochal not only for the history of the Jews, but for civilization generally. It was the first time in history when a considerable community dissociated the worship of its God from its ancestral soil. This may seem, at first glance, an advance in thought which can interest only theologians; actually, it was the basis for the development of the whole conception of human brotherhood and the breakdown of that prejudice which transforms love of one's own people and country into the hatred of all others. It established the principle that God has no special home on earth, but that all countries and people are alike before Him. This truth, which thoughtful men today accept as axiomatic, was quite unknown, except in the limited prophetic circles, twenty-six centuries ago. Men actually believed that their gods had a preference for their own native countries and their own peoples. Athene was the goddess of Athens; Chemosh the god of Moab; Melkart the god of the Tyrians; Marduk, the god of the Babylonians. This comforting superstition, satisfying as it was to the vanity of our ancestors, was a great peril to the world, for it bestowed on opposing national prejudices supernatural sanctions which rendered them impossible of reconciliation. The Moabite went forth to battle not only for his people and for his land, but for his god; and so did the Edomite; and every one of the other nations round about. Patriotism ceased to be, like love of one's family, relative to the accidents of birth and life, and quite compatible with similar feelings by other people for their homelands. It became absolute, bigoted, and intolerant. It was not only non-rational, but irrational, like a demand of a son that all people see in his mother the grace and lovableness with which his own memories endow her.

For generations, the prophets had inveighed against this narrow and false conception of the God of Israel. They had claimed that He was the God not only of Canaan, but of the whole world. He had brought Israel out of Egypt, the Philistines out of Kaphtor, and the Arameans from Kir.[1] He was the Lord of Hosts, the Creator of heaven and earth. But the doctrine of a transcendent Deity had been accepted only by a limited circle of intellectually advanced pietists. Even David, driven to seek shelter from Saul among his people's enemies, the Philistines, declared himself condemned to idol-worship (I Sam. 26.19). Naaman, the Syrian general, becoming converted to the God of Israel, took some Palestinian earth with him to Damascus, so that he might worship YHWH on His own soil (II Kings 5.17), somewhat as the Shah of Persia is said to have put Persian sand between the soles of his shoes when he visited Europe before the World War, to free him from the necessity of stepping on foreign soil.

The population of the Ten Tribes which were deported by the Assyrians to the cities of Media apparently shared this view. Unable to take any Palestinian soil with them into their exile, they soon became assimilated to the surrounding population. It is significant for the influence of prophecy in Judah that the garrison of Judaite soldiers stationed on the island of Yeb in Egypt did not forsake the worship of YHWH, but served Him as well as other gods.[2] Whether Assyrian and Babylonian soil was brought to Jerusalem when the imperial worship was introduced there under Ahaz, Manasseh, and Jehoiakim, is not recorded. Perhaps that was held to be unnecessary because the reduction of a country to provincial or semi-provincial status involved its subordination to its conqueror's gods. It became the territory not only of the Emperor, but ipso facto of his deities.

Be that as it may, it was certainly a revolutionary thought for Jeremiah to demand that the exiles of Judah, who had been taken as captives to Babylonia, continue to worship the God of their fathers on the foreign soil (Jer. 29.7). The acceptance of his doctrine, which had been so unpopular in Palestine, by the exiles of the years 597 B.C.E. and 586 B.C.E., can only be explained in terms of the social forces which the deportation itself created. This involves an analysis of the constituency both of the Palestinian and the Babylonian Judaite societies during the exilic period.

The opinion has generally prevailed, until recent times, that Nebuchadnezzar's deportation in 586 B.C.E. practically emptied Judah of its people. The saying of an ancient sage that "for fifty-two years not a single person passed through the country,"[3] was accepted by the modern historian as well as by the traditional teacher.

No one seems to have realized the inherent difficulty of imputing to Nebuchadnezzar such folly as this interpretation of events implies. How could any ruler wantonly leave an important border province uninhabited and exposed to the first invader? Archaeological evidence does indeed prove that the "walled cities" of Judah were razed and burned,[4] and biblical record leaves no doubt that the two deportations of 597 B.C.E. and 586 B.C.E. brought to Babylonia a considerable section of Jerusalem's population, including both members of the dominant nobility and the plebeian craftsmen and traders. Together with them came also a large group of the wealthier country squires, who formed the backbone of the army. But these classes together constituted a small minority of the country's population. Even if we add to them the large number who died in battle, starved in the post-war famine, were sold as slaves, or fled to foreign lands, there still remains a goodly fraction of the Judaite community unaccounted for. These were the "poor of the people of the soil," the masses of the peasantry, whom Nebuchadnezzar left on their farms and in their vineyards, and who were quite unaffected by the fortunes of the war.

The contemporary writers are careful to describe the catastrophic events of 597 B.C.E. and 586 B.C.E. as relating only to Jerusalem and its inhabitants. Chroniclers and poets regularly speak of a "deportation of Jerusalem" rather than of Judah.[5] They mention the reduction of the country's minor fortresses, but reserve their main laments for the capture of its capital. This habit cannot be attributed to the distorted perspective and narrow arrogance peculiar to inhabitants of a metropolis, who so frequently write as though the countryside did not exist. For the Prophet of the Restoration, too, thinks of the exile as affecting primarily the Holy City. It is Jerusalem which needs consolation, not the land of Judah (Isa. 40.1). The evidence definitely establishes the fact that the countryside of Judah did not suffer any permanent injury in the invasions of 597 and 586.[6]

The situation in Judah after the year 586 B.C.E. becomes clearer when we compare it with that which followed the Roman War in the year 70 C.E. On both occasions Jerusalem, with its Temple, its wealth, its commerce, and its instruments of authority disappeared; yet the life of the hinterland remained undisturbed. There was only one difference between the periods which must be kept in mind. When Jerusalem was destroyed by the Romans, two sister-cities of her own country divided her inheritance: Ludd succeeded to her commerce, and Yabneh to her spirit. Nothing like that happened in 586. In that first destruction, the commerce of Jerusalem was deflected to Tyre, and her culture was deported to even more distant Babylonia.

The difference was due not to governmental planning, but to accidents of history. There could be no important commercial center in Ludd in 586, because that city depended for its growth on the development of a Jewish diaspora, which looked to Jerusalem as its holy city. It was only toward the end of the Second Commonwealth that the trade routes from Egypt to Damascus, which pass through Ludd,[7] became busy with the enormous traffic of the pilgrims traveling to and fro, and the caravans taking the goods of Judah to its children abroad, and bringing their produce and their wealth back to the mother country. When the head of the body politic was destroyed, this sub-cerebral center could still carry on its functions.

The Babylonian conquest produced no Yabneh as spiritual successor to Jerusalem for the simple reason that the only men capable of establishing such a center were prevented from doing so. Gedaliah, the governor, was murdered two months after his appointment; Jeremiah the prophet was forcibly taken to Egypt (Jer. 41.2; 43.2).

We can understand the situation in Judah after Gedaliah's death and Jeremiah's removal if we try to imagine what would have happened in the year 70 C.E. if Johanan ben Zakkai and one or two of his leading disciples had perished with Jerusalem. There would have been no conclave or academy at Yabneh; no talmudic traditions would have developed; no conflict of parties would have arisen. The chapters of Jewish history after the year 70 C.E., which are filled with records of rabbinic achievements and sagas of their learned battles, would have been empty. Our information about the period would have ended with Josephus's record of the Roman destruction. The lack of all contemporary documents, written or orally transmitted, would have left us with the impression that the country was practically devastated.

How correct this is can be seen from the fact that the period for which there were no rabbinic traditions, i. e., after the sixth century C.E., was actually described by historians as one of utter devastation. The talmudic schools were suppressed; and it was long supposed that with the men of learning the whole population disappeared. It is only within the last few decades that documents have been unearthed proving definitely the continued existence and development of an important Jewish community until the time of the Crusades.

The darkness which enveloped the Second Jewish Commonwealth five centuries after its conquest fell on the First Commonwealth immediately after the murder of Gedaliah. Yet a careful examination of the available evidence enables us to reconstruct something of the character of Palestinian life even during that period.

It is clear that the Judaite peasant who remained in the land did not fully realize just what was involved in the destruction of his country's spiritual center. He was keenly aware, of course, of the inconvenience and loss he sustained in the absorption of metropolitan commerce by Tyre. And he was touched even more nearly by the changes in the government of the country. His taxes were possibly higher than they had been under Judaite kings; he doubtless found the alien factors less tractable than his own countrymen had been; and his patriotic feelings were outraged by the transfer of a large section of Judaite territory — the Negeb — to Edom, Babylonia's tiny ally in the late war.[8] He must have been chagrined when he thought of the foreign governors in Mizpah, and the Babylonian gods, Bel, Nebo, and Marduk, who were worshiped there. The establishment of that city as a place of prayer for those who remained faithful to YHWH could hardly serve as a balm to his wounded national pride.

But, deprived of the leadership of the city groups, the peasant was unable to offer any effective resistance to the Babylonian conquerors. The astute Nebuchadnezzar had foreseen this; and that had of course been his reason for the destruction of the cities, especially Jerusalem. It was an incident of his military tactics that the country was thrust back into pre-Davidic economy and lost the civilization which had been built up through four centuries of patient effort. No trace remained of the commercial revolution of the tenth and ninth centuries B.C.E. Together with the remainder of Jerusalem's cultural life, prophetic tradition also disappeared. Isaiah's doctrines of Universal Peace and of Jerusalem's Holiness; Habakkuk's conception of Divine Justice among nations as among individuals; Zephaniah's reliance on the "humble of the earth"; Jeremiah's differentiation between act and intent — all vanished. The worship of YHWH remained, but not in the form in which Isaiah or Jeremiah had envisaged it. In some localities it was syncretized with the worship of Baal; in others it remained pure, yet primitive and anthropomorphic. In none did it attain the nobility with which metropolitan teachers had surrounded it.

The only seers who could arise in the backward environment of exilic Palestine were those of a rural stamp — the successors of Nahum the Elkoshite. Narrow nationalists, they were characterized by an utter blindness to social conflict, a refusal to deal with individual unrighteousness, and a burning desire for vengeance against their people's enemies and conquerors. They had nothing to say in denunciation of the syncretistic village worship in their midst. They attained their highest eloquence not in appeals to return to YHWH, but in horrifying pictures of their enemies' destruction.

The fragments of their addresses which have been preserved are to be found in Isaiah, chapters 13, 14, 21, 34, and 35; and in Jeremiah, chapters 50 and 51.[9] Both the peculiar style and content of these writers make it easy to separate their work from the context, fixing their country as Judah and their date as the period of the exile. They describe the parched wilderness of southern Judah, the bituminous wastes of the Dead Sea district, and the blistering sand-laden whirlwinds of the desert, with the vividness of eye-witnesses. They compare the rejuvenated country of their vision with the typical Palestinian scenery of Carmel, Lebanon, and Sharon. They all predict the fall of

Babylonia. Yet it is easy to see that most, if not all, of them, lived at the beginning of the exilic period, long before their prophecy was fulfilled, for they know nothing of Cyrus and the Persians. The instruments of divine vengeance on which they rely are the Medes, Babylonia's most powerful rival in the first half of the sixth century B.C.E.

The spirit which animates their prophecies is not that of the gentle, pacific Jeremiah, but of his opponents, the "false," ultra-nationalist, provincial-patrician seers. Gloating over the future destruction of their enemies, they are silent about any wrong-doing among their own people. Yet they were neither wicked nor godless; they were simply deluded fanatics, patriotic visionaries, who confused wish with reality, and naïve hope with reasonable expectation.

Had prophetic religion found no other spokesmen during the exile it would inevitably have degenerated into another Near Eastern mythology, and deservedly been lost. Fortunately its true spirit, banished from Palestine, found a safe haven in Babylonia, where Nebuchadnezzar had quite unwittingly contributed to its development and preservation.

While the Palestinian population during the exile was almost exclusively peasant in character, that of the Babylonian deportation included members of the lay patricianship, the Temple hierarchy, the city artisans, as well as the country gentry. Each class among the exiles responded to the catastrophe in characteristic manner. The outcry of the lay nobility has been preserved by one of its members in the fourth chapter of Lamentations.[10] The author reveals his class prejudice in almost every verse he writes. He says nothing of the destruction of the Temple;

he wastes no words on the devastation of Judah's smaller cities. He is concerned solely with the sufferings of "the precious sons of Zion .... that did feed on dainties" and "were brought up in scarlet." His vision is haunted by the princes, who "were purer than snow," "whiter than milk," "more ruddy in body than rubies" (4.2–7). He cannot suppress his disappointment that Egypt failed his people. But above all he mourns of Zedekiah, "the breath of our nostrils, the anointed of the Lord .... of whom we said: 'Under his shadow we shall live among the nations' " (4.20). It never occurs to him to impute the sin for which the city was punished, to the King, the princes, or the people. It all happened, he thinks, because of the rigors of the reformation of Josiah, and its aftermath. "Because of the sins of her prophets, and the iniquities of her priests, *that have shed the blood of the just in the midst of her*." The reference to King Josiah and his counselors is unmistakable. Only under that unfortunate king had prophets joined priests in destroying their common enemies, those who worshiped at the rural altars. The poet betrays his sympathy for his fellow-landowners of the countryside by calling their priests "the just," and at the same time indicates his own high governmental position by blaming the conflict not on the civil authorities who doubtless waged it, but on the Temple priests and the prophets who instigated it.

The poet has no plans for the future. The restoration of Judah as a state is impossible; and the prospect for the survival of its faith offers the writer no comfort. He definitely belongs to the group who held that "the Lord seeth us not; the Lord hath forsaken the land" (Ezek. 8.12). He can weep over the past; he cannot harbor any aspiration for the future. His only consolation is the hope that Edom, too, though it escaped Jerusalem's fate for the moment, will ultimately share it!

Equally narrow and fatuous is the message of Psalm 137, which was obviously composed by exiled priests of the Temple who had returned to their land.[11] "How shall we sing the Lord's song, in a foreign land?" they had asked when the Babylonian captors asked them for "one of the songs of Zion." They did not refuse to utter the hymns because that might gratify their victors. They simply could not worship God except on His own soil. Their ritual was associated with the Temple; when they were removed from that, their religion lost all meaning.

This poem,[12] too, ends with an invective against Edom. Perhaps it was written before 586 by some priests who managed to return to Palestine from their exile and were there free to utter imprecations against the Imperial power as well as on its little ally. It may even have been intended to stir the people to revolt. In any event the author belonged to the party of ultra-nationalists, who actually dared carry on their propaganda against Babylonia, even in the exile. Two of them, in fact, were burned alive by Nebuchadnezzar for their seditious activities.[13]

Far different from the attitude of these lay and ecclesiastic Nationalists was that taken by the prophetically minded priest who wrote the Second Chapter of Lamentations.[14] The author's association with the Temple is clear. He cannot understand how God rejected "in the indignation of His anger *the king and the priest*"; how He could forget "His footstool," "cast off His altar," and "abhor His sanctuary;" how He could be silent when the enemy murdered "priest and prophet in the sanctuary of the Lord." He is particularly moved when he thinks of the desolation of Zion on the Sabbath and "the appointed season," once such festive occasions. The crowds and tumult of the "days of assembly" continue to haunt his imagination. When he recalls the scene of the approaching armies, as they gathered to besiege Jerusalem, he can find no more appropriate simile for them than that of the gathering pilgrims on Passover, Shabuot, and Sukkot. Even when the enemy had burst into the sanctuary, uttering their pagan shouts of victory, it seemed to the priest that they made a tumult "in the House of the Lord as in the day of a solemn assembly."

The contrast between the pietism of the second chapter and the secularism of the fourth chapter of Lamentations is strikingly shown by the fact that the name of God occurs thirteen times in the former and only thrice in the latter poem. The difference involves more than statistics. The Divine Name occurs again and again in Lamentations 2 because the author of that poem regards Him as the true source of Israel's sufferings. Its defeat is a punishment for its sins. The human enemy is but the instrument of God's anger, and may well be left out of account. In Lamentations 4, it is the mortal conqueror who is primarily considered. God might have defeated him, had He chosen, it is true. But the rôle of the Deity was after all secondary.

Characteristically, the pietist utters no imprecations against the enemies of his people. He is convinced that Judah has suffered just punishment for its sins, in following the false prophets who saw visions "of vanity and delusion" (2.14) and failed to expose the nation's transgression. There is but one hope for it: "Arise, cry out in the night, at the beginning of the watches; pour out thy heart like water before the face of the Lord" (2.19).

In this rejection of any thought of vengeance, and in his call to the people to return to God, the poet most nearly approaches the doctrine of contemporary prophecy. But prayer alone did not satisfy the prophets. They worked out a program for the preservation of Judaism in the midst of the exile. They accepted the exile with resignation, but were determined to resist assimilation in Babylonia, as their ancestors had resisted it in Palestine. They could not establish a temple on foreign soil; Deuteronomic law forbade that. But they could, and would, gather for prayer-meetings; they would observe their Sabbaths and their festivals; continue the practice of circumcision; abstain from forbidden meats; and patiently await the restoration of their Commonwealth and its sanctuary.

The cornerstone of their communal life was to be social righteousness, and the practice of justice by each of their people in his relation with his neighbors.

These doctrines which within a generation were adopted by the vast majority of Babylonian Judaites were at first espoused only by the urban plebeians among the exiles. This is obvious from an analysis of the composition of the exilic community, which the scriptural historians, as though conscious of its importance, describe with precision. The first deportation, they record, consisted of ten thousand able bodied men (many of whom were accompanied by their families). One thousand of them were smiths and carpenters; seven thousand, members of the country gentry, the backbone of the army; the remaining two thousand, apparently, were drawn from the hierarchy and the nobility.[15]

It was this community to which Jeremiah addressed his famous epistles, calling on its members to "build houses and dwell in them," and to seek "the peace of the city whither

I have led you captive, for in its peace shall ye have peace."[16] Apparently the prophet, whose party in Jerusalem was too insignificant to prevent his imprisonment, had a sufficient following in the exile to make this exhortation effective. For such was the response to it that the ultra-nationalists in Babylonia demanded that the authorities of Jerusalem prevent his further writing.[17]

But who were Jeremiah's followers in Babylonia? The members of the nobility were those who persecuted him; the gentry were the backbone of the nationalist movement, which he opposed. Obviously, Jeremiah's following was derived, as a rabbinic tradition indicates,[18] from the third group, the smiths and the carpenters: the plebeians of Jerusalem's market place.

Various social factors combined to give these urban plebeians greater influence in Babylonia than they had ever possessed in Palestine. Of these we may enumerate the following: (1) their comparatively large number; (2) the ease with which they could adjust themselves to the new environment; (3) their possession of a definite program of action; (4) the disappearance of the motive to assimilation from most of the former nobility; (5) the erosion of those groups who were subject to assimilation; and (6) the reduction of practically the whole community to the status of plebeians.

(1) It may seem curious that one thousand people should exercise a determining influence on the Babylonian deportation, especially when they were outnumbered nine to one by other groups. But it must be recalled that the prophetic following formed a more compact, determined, and positive group than the rest. And for such a group a proportion of ten percent is considerable. The Pharisees, whose enrolled

membership constituted only a small fraction of their contemporary Commonwealth, controlled its culture completely.[19] It is obvious that the urban plebeians of Babylonia, being relatively more than twice as strong, were quite irresistible.

That they were without equal influence in Judah was due in the main to the fact that their proportion to the rest of the population was much smaller. It is a plausible conjecture that they formed only one fifth of the population of Jerusalem, or less than one fiftieth of that of the country. That was a sufficiently large minority to preserve its traditions, but was far too small to influence national policy.

(2) But aside from numerical strength the urban plebeians were the only ones among the deportees who could easily adjust themselves to the new life. The resources of all the other captives, namely their land and their possessions, had been left behind; but the skill of the artisan and the cunning of the tradesman were inalienable from their person. The farmer might have to seek a post as manager or tenant; the craftsman, given permission to work, had no difficulties before him. The brilliant suggestion has been made that the great clan of the Senaa, which constituted the largest single group of returning exiles in 538 B.C.E., were really descendants of these exiled artisans.[20] In Jerusalem they had been called *senua*, "the hated," or "the despised." Their class consciousness made them retain the name, but transformed it, as so frequently happens in history, to one of honorific connotation. Their large number testifies to the prosperity which met them because of their ready acceptance of their new life.

(3) The plebeians prepared themselves for exile not only by their economic status, but by their intellectual outlook.

For generations, their leaders had taught them that the Palestinian community was doomed and that they must be ready for deportation and purification. The program of their life in the Dispersion had been worked out for them. In any crisis those who have a plan of adjustment have an advantage over those who lack it; the confused nobility and gentry, who had spurned the prophets in Palestine, had no alternative but to accept their guidance in Babylonia.

(4) The sociological forces making for assimilation in Palestine were practically without influence in Babylonia. There was little possibility for free mingling between Judaite captive and Babylonian victor. And even had the Babylonians been willing to accept the Judaites as equals, the resentment which the Judaite bore toward his conqueror and enslaver would have made association difficult.

(5) On the other hand, the limited group which was admitted to Babylonian society doubtless rapidly lost their Judaite consciousness. It was possible for a noble in Palestine to imitate the ways of the Canaanites and the Egyptians and yet remain within the fold of the Judaites, who were his people. In Babylonia, where the only ties holding the Judaites together were the common memories of the past, assimilation to the Babylonian habits of life meant abandonment of the Judaite community.

(6) Finally and most important of all, the Babylonian community became converted to plebeian theology, because it had been reduced to plebeian economy. Nebuchadnezzar had brought into being the classless society of which the prophets had for centuries been dreaming. Instead, however, of sharing equally in the national prosperity, all were partners in the national adversity. It was not the

unlanded, but the landed, class which had disappeared. The former patrician or provincial might glory in the estates which nominally he still owned in Palestine; but they provided him with no food, clothing, or shelter. Shorn of his power, the victim of far greater tyranny than he had ever exercised over his subordinates, he quickly absorbed the doctrine of the submerged.

The exile thus served as a social electrolysis. The landed and the landless groups which had been carrying on their cultural battle for centuries were at last separated. The landowners and their retainers were in Judah; the landless plebeians were in Babylonia. The division enabled the prophetic following, for the first time in history, to develop its traditions without the interference of an opposing majority.

Only in one respect did the Babylonian Judaites depart from the natural development of prophetic teachings — in their reverence for everything which reminded them of their home country and its capital city. The Temple which Jeremiah had rebuked, the priests whom he had contemned, the King and the princes whom he had denounced became sacred memories. The local patriotisms of the provincials and the family connections of the patricians were both handed down from generation to generation. With something of the feeling which prompted the pilgrim fathers to name the place on which they landed Plymouth Rock after the port whence they had sailed, and to transplant throughout New England names of English cities which they had left, the Judaite squires in Babylonia recalled that they had come from Bethlehem, from Ludd, from Ono, from Jericho. The more aristocratic emigrés recalled their noble ancestors; but with pride, rather than arrogance. In the humiliation of common poverty, and under the urgent necessity to gain a livelihood, social prestige could be a consolation, but might also be a danger. In pioneering life, only the humble and the democratic, who forgot their splendid past and accepted equality with the meanest, could survive. Curiously, however, as soon as he ceased to demand respect, the aristocrat received it. The splendor of the setting sun gilded even the darkest clouds of the vanishing past, and made many plebeians recall with sentimental pangs "the good old days" which had been anything but good for them. Their reverence and admiration helped the patrician to retain his self-respect, and to recall throughout the exile the family connections of which he had so arrogantly boasted in Jerusalem.

The reverence of the plebeians for the patrician ancestral connections was in part associated with their resistance to assimilation. Many writers have confused the affection of the exiles for their traditions with nationalist chauvinism,[21] from which it was poles apart. It was precisely because the urban plebeian was not a nationalist in the ordinary sense of the word, that he could not yield in his loyalty to his traditions. If he could have expressed his love for his people by bold assertions of national superiority and by activities looking to his country's restoration as an independent kingdom, perhaps he would have found it unnecessary to stress the validity of his people's customs and institutions. But, convinced that his restoration could come only from God, and firmly believing that all men — other peoples as well as his own — were made in the image of God and were therefore equal, he could escape the self-abasement of artificially stimulated assimilation only by his cultural and religious particularism. He did not claim that his ways were obligatory for other peoples. Indeed, he specifically denied this. Other nations were bound by certain ethical regulations which God had fixed for all mankind. The ceremonial obligations of Judaism were binding on the Judaite alone.

They were disposed, on the other hand, to admit into their ranks those of the Babylonians who desired to join them. Regarding their distinction from other peoples not as racial or national, but as simply religious, intellectual and cultural, they could see no reason to reject those who became convinced of the truths they taught and were prepared to adopt the customs they observed. The word *Ger*, which had meant "landless" in pre-exilic Palestine, came to connote among them the "one who cleaved unto the Lord" from other peoples. They insisted that his rights in Israel were the same as those of the native born Judaite.

That this policy was not theoretical but had practical application is obvious from the record which tells us that no less than 652 out of the forty-two thousand persons who returned in 538 B.C.E. (about one and one-half percent) could not tell whether they were descended from Judaite ancestry (Ezra 2.59).

It is important to understand this doctrine fully, for it is fundamental to an appreciation not only of post-exilic plebeian philosophy and Pharisaism but of the so-called Priestly Code in the Pentateuch as well. The usual indictment of this major section of the Torah as narrow and bigoted is amazing to the person who has lived in accordance with its main regulations. Here is a work which, analyzed on the basis of current biblical studies, asserts the equality of the sexes[22] and of nations,[23] establishes Palestine as an economic as well as political democracy,[24] in which every person is allotted an inalienable right to an equal amount of land, and no distinction is permitted between the native and the alien[25] and yet its formulation is described as a backward step in the development of religion!

True, it demands, together with social justice, adherence to traditional custom. It insists that the Judaite observe his Sabbath[26] and the law of circumcision,[27] that he desist from eating forbidden food,[28] and that he observe the rules of Levitical purity.[29] It definitely sets up barriers between Israel and the world. But that the barriers are neither racial nor national, but only religious and ceremonial, does not seem to have occurred to students. Any pagan might become an Israelite through the process of conversion and acceptance of the principles of the Law. Once the pagan joined the community of Israel, he obtained all the rights of any other member, and the Israelite was specifically commanded to love him as himself (Lev. 19.34). Yet it is only when we realize their further significance that we can understand the true spirit of this legislation, which is fundamental to the whole Law. Far from being a backward step in the development of either Judaism or religion, it is the climax of the whole prophetic teaching.

The universal acceptance of the prophetic doctrine in Babylonia necessarily involved the decay of the prophetic movement as a formal institution. Prophecy had been the voice of the protesting, submerged, disinherited minority. In the deportation, where this minority became a dominating majority, there was need not for protest and criticism, but for guidance and legislation. The prophet became the scribe, the critic became the teacher. Instead of telling people what they must not do lest they die, it became his task to tell them what they ought to do that they might live. It was thus in Babylonia that the first steps were taken to transform prophetic religion into the system of norms and rules which is usually denominated legalism.

This transformation is usually described as a descent, as though the constructive effort of the legislator were in some manner inferior to the critical work of the prophet. Actually, of course, there was neither rise nor fall in the change. The scribe was the disciple of the prophet. "Moses," the ancient tradition properly records, "received the Law from Mount Sinai, and handed it over to the elders; the elders handed it over to the prophets; and the prophets handed it over to the men of the Great Assembly."[30] The alteration was due entirely to the circumstances of the times. There was only one loss in the substitution of legalism for prophecy; poetry was replaced by prose. So long as the representative of prophetic religion had merely to create a general yardstick with which to measure specific evils in the Commonwealth, he could — indeed, he had to — resort to poetical composition. He could spend chapter after chapter in denunciation of social wrong-doing, in painting the outlines of a future ideal commonwealth, in describing the wrath of God against those who violated His will. But when he found himself faced with the task of nation-building, he realized that the time for the grand style had passed. Precision, accuracy, and brevity were far more important than beauty and magnificence. The imagination which this task required was mathematical and technical rather than dramatic and artistic. The times needed blueprints to guide the craftsmen, the carpenters and the masons, rather than landscapes to inspire the esthetes. Some of the rarest individuals in history, like Moses and Isaiah, have combined both gifts in themselves. The Book of Deuteronomy possesses a poetic loftiness of expression and at the same time devotes itself to detailed questions of life, in a manner which demonstrates it to be the work of the most inspired of all prophets. Unfortunately for the human race, such geniuses appear only once in many generations, perhaps centuries. In their absence, their work must be carried on by lesser men, who still reflect something of the majesty of their Master's power. As the sages, with their usual insight, put it: "The face of Moses was like that of the sun; that of Joshua was like that of the moon."[31] In Jewish history, there have been a few dazzling, brilliant suns; but of course these have been outnumbered by the many lesser, though almost equally important and distinguished, luminaries. Those who were endowed with these gifts became the foremost teachers in the history of Jewish legalism — Simeon the Righteous, Akiba ben Joseph, Saadia Gaon, and Moses Maimonides. Most of their comrades became craftsmen of the Law.

Perhaps, however, a special imaginative gift was needed by the Babylonian pioneers in the field of legalism. They legislated not only for their own generation; they instituted the habit which, as we have already observed,[32] had such profound effect on later Palestinian life, of creating norms for the future. Realizing that Babylonian life did not allow for the realization of their conception of justice, and convinced that God would restore them ultimately to the land of their fathers, they carefully prepared a program for the Ideal Commonwealth which they hoped to establish in Judah. The dream of this Ideal Commonwealth added zest to their hope for a return and was doubtless one of the forces which kept alive the "Zionist" movement of that day.

The visionary aspirations of the plebeian idealists coincided with the more concrete hopes and ambitions of the former patricians and provincials, who hoped to return to their ancestral estates, and of the priests, who eagerly awaited the restoration of the Temple. The whole of the Babylonian Judaite community was thus permeated with the urge for a return to the Holy Land.

For many years the aspiration seemed impossible of realization. The most optimistic dreamer could find no encouragement for his hopes. Suddenly, however, a new light dawned upon them. In the year 562 B.C.E. Amil-Marduk liberated Jehoiachin, who had been held in prison for thirty-seven years, ever since his surrender to Nebuchadnezzar (in 597), and set his "throne above the thrones of all the [subject] kings," who were with him in Babylonia.[33]

There can be little doubt that the liberation of Jehoiachin was part of a determined policy which Amil-Marduk felt essential for the preservation of the Empire. Nebuchadnezzar had conquered the distant lands, but had done nothing to insure their loyalty. His successor apparently believed that the conquests could be consolidated if the various provinces and peoples were treated with liberality. He knew well that Babylonia was surrounded with powerful empires, the Medes to the north and east, and the Lydians to the west. There was every reason to fear that when they attacked her, they would find powerful allies within her domains. There was only one thing to be done — to win the loyalty of the subject peoples.

We may easily imagine the delight of the exiled Judaites when they saw their King released from imprisonment and made the household guest of the Great King. The historian of the period attached such importance to the event that he considered it a suitable climax to his history of Israel. King Jehoiachin himself, doubtless moved with unutterable joy in his innermost heart, named the son who was born to him after his release, *Pedaiah*, "YHWH hath redeemed."[34] And, indeed, it must have seemed to many observers that it was not only the King, but his people, who had been restored to divine favor. The hope of a restoration suddenly took on new life and strength; the impossible was fast becoming the probable.

But the dream was destined to be brief. The leaders of the Babylonian army had no faith in Amil-Marduk's policy of conciliation. They had helped Nebuchadnezzar seize the provinces by force; and by force alone would they be kept. Kindness would be misinterpreted as weakness and would only lead to difficulties. The leader of this faction seems to have been one Nergal-Sar-Usur (perhaps the biblical Nergal-sar-ezer), a leading general, and brother-in-law of the King. In the year 559 a rebellion broke out against Amil-Marduk, who was slain, and Nergal-Sar-Usur became King in his place.

The death of Amil-Marduk must naturally have been a severe blow to the most hopeful of the Judaites. Yet it did not crush them. Perhaps Ezekiel's prophecy about Gog and Magog, with its symbolism of Babylonia's destruction on the hills of Palestine, was uttered when the good King

Amil-Marduk fell before the army leaders, and the prophet realized that only the destruction of Babylonia's power could lead to Israel's restoration.

The prophet did well to retain his faith. The policies which Amil-Marduk had favored, rejected for the moment, were to be revived by a far greater ruler, who was destined to make them the foundation stone of his Empire: Cyrus the Great. The year of Amil-Marduk's death witnessed the rise of Cyrus to the principate of Anshan, an obscure subject province of Median dominion. Before many years had passed, however, this prince was to become a world figure. Ezekiel probably died, however, before the new ruler showed his prowess. The mantle of prophetic leadership taken from Ezekiel was given to another, greater teacher, whom he did not know, and who apparently knew nothing of him, the Second Isaiah. A native of Palestine during the exile, this man, whose real name has been forgotten but whose words will ever be remembered, became the most majestic figure in Hebrew prophecy. The equal of Isaiah in eloquence and political sagacity, of Jeremiah in tenderness and sense of the pathetic, and of Ezekiel in dramatic power and poetic imagination, he surpasses both predecessors and successors in clarity of thought, universality of outlook, theological insight, and philosophical understanding. Combining in himself the poet and the thinker, the patriot and the internationalist, he loves humanity the more deeply because of his intense affection for his own people. With singular receptivity to new ideas, his mind continues to grow even after he has entered on his prophetic career, and we perceive with increasing admiration and respect the continual widening of his intellectual horizons. No prophet spoke with more complete awareness of the permanent significance of his message or with greater confidence in his ability to interpret it; yet none was more truly self-effacing and fit to become the Great Unknown.

In his country origin and his early travels, as well as in one other phase of his career — his transformation into a teacher of the urban doctrine of social justice — Deutero-Isaiah resembles Ezekiel, from whom he is otherwise far apart.[35] In the twenty-seven chapters of his work, we can follow his development step by step, from the early days when, overwhelmed with the possibilities of a restored Commonwealth, he poured forth his joy in a torrent of unsurpassed eloquence, through the period of pain and disillusionment when, his hopes frustrated, his ideals crushed, he sat down to reconstruct his philosophy and to adjust it to the changed phenomena he saw about him; and finally into the years of his wise and melancholy old age, when he realized that he had been called neither to build nor to announce a great commonwealth, but to help reform and improve a small people. The careers of few men are more illuminating or more instructive; none is as replete with both pathos and grandeur, tragedy and spiritual majesty.

The youth of the prophet coincided with that of Cyrus. His first prophecy was apparently delivered about the year 550, shortly after the great Persian conqueror made his epochal advance into Asia Minor. The Babylonian power in Palestine had already begun to wane; everyone could see the dangers which were facing the Empire. The son of prosperous parents, Deutero-Isaiah was given the opportunity to travel; doubtless he visited Tyre, perhaps even Egypt and the cities of Syria.[36] It must have been during one of these journeys that he became convinced that

Judah's fundamental need was a metropolis. Every other country had an urban center; Judah alone remained bucolic, countrified. As he pondered over the problem, he realized that there was no obstacle to the rebuilding of Jerusalem save the inertia of the people. The Babylonians, who had destroyed the city almost half a century earlier, would hardly object to its reconstruction; in fact, they might welcome it as a bulwark on the outposts of their Empire. A Voice cried to him, "Call," but his heart told him that there was no audience for him to move. "How shall I call?" he answers. "All flesh is grass, and its goodliness as the flower of the field" (40.7). Yet the Voice would not be silenced; "The word of our God will be established forever," it said. The time had come for Zion's children to comfort her. God who had willed her destruction now called for her restoration.

The prophet said nothing in this first call of rebuilding the Temple; he held out no hope for Jewish autonomy; he made no reference to the return of the exiles from Babylonia or the gathering of the dispersed from other lands; and certainly he had nothing to say about social injustice or the significance of his message to the peoples of the world. His concern was with Jerusalem, and with her alone.

Suddenly the world scene shifted. The much traveled and well-informed prophet followed with amazement the issue of the struggle between the hitherto little known Cyrus and the supposedly indomitable Croesus, King of Lydia, in Asia Minor. Less than a decade had passed since Cyrus had become prince of his native province; and already he had proven himself the "man of destiny." Within six years after he attained the principate of Anshan, he had proclaimed himself King of Persia, broken the power of the

Medes, and made himself master of their huge dominions. Not satisfied with these memorable victories, he had had the temerity to attack the kingdom of Lydia in Asia Minor, whose ruler, Croesus, was said to be the richest man on earth. Croesus, underestimating the ability and power of the young upstart, had taken insufficient precautions for defense, and soon found himself besieged and helpless in his capital, Sardis. Before long he had to yield, and the former subject princeling of the Medes became the world's foremost potentate, with a dominion extending from the Indus River to the Aegean Sea.

The prophet of Israel, surveying the scene from the hills of Palestine, realized with all other intelligent observers that a new era in history had opened. Curious, unutterable hopes stirred in his breast. Might not the rôle of Cyrus have some significance for Israel? Might it not be a divine portent, indicating the path which Israel's future development was to follow? To ask the question was to supply the answer. The dreamlike fancy of one day became the dominating ideal of the next. What Anshan had accomplished in the sphere of mundane government, Israel would undertake in the far more important sphere of spiritual influence. The Persian had imposed his rule on the nations; Israel would impart its knowledge to them. For the moment the problem of Jerusalem's restoration was overshadowed in the prophet's mind; other, broader issues were at stake. The future of mankind hung in the balance, its fate was to be decided by the tiny people of Israel. Was it to continue in idolatry and ignorance, or would it rise to monotheism and truth? The ferment in religious faith evident everywhere in the world, the advance of Zoroastrianism in Babylonia and Persia, the confusion of doctrine observable in western cities, together with the international situation — the imminence of a destructive war between Persia and Babylonia — offered an unexampled opportunity for a widespread religious movement which Israel might initiate.

When, after deep cogitation, the prophet finally uttered his call, it was with the passion of innermost conviction. His reference to Cyrus was, naturally, cautious, recondite, even ambiguous. The Babylonian governor, who still ruled in Mizpah, might resent undue enthusiasm by a Judaite orator for the foreign conqueror, who was probably preparing to subdue the Empire. The prophet couched the description of Cyrus in terms which might conceivably refer to Abraham, the ancestor of Israel, though, to be sure, the prophet would then appear in a guise quite unknown to the Book of Genesis.

"Who hath raised the victorious[37] one out of the east,
Calling him to His feet;
Giving nations before him,
And making him rule over kings;
He maketh them as dust with his sword,
And as driven stubble with his bow.
He pursueth them, and passeth on safely,
He treadeth no way with his feet" (41.2 ff.).

Even more emphatically did he express himself at the end of the prophecy:

"I aroused one from the north and he has come;
Yea from the east, calling on My name;
He trampleth princes like mire,
As the potter treads upon clay" (41.25).

The Judaite hearers of the address doubtless recognized at once the portrait of Cyrus, who came both from the "North" and from the "East." But for the Babylonian spies and traducers, the camouflage was complete. How could they suspect that a Hebrew prophet would hail the pagan prince, as one "who called on the name of Israel's God." Yet the prophet could do so with a clear conscience; for Cyrus called on God with his acts, if not in words. Heathen conqueror as he was, he fulfilled to the letter — so it must have seemed to Deutero-Isaiah — the words of the earlier prophets. Whom else could Jeremiah, for instance, have described with such vigor and enthusiasm as the northern invader?

But if Cyrus had indeed come to fulfill the words of the prophets, that fact was itself of importance to all the world. It had but to be made manifest to the nations and all would realize that in Israel's God alone is there truth.

Any doubt they might entertain would be dissipated by the coincidence of Cyrus's conquests with the rebuilding of Jerusalem. Either event alone might be an accident of history; together they offered an accumulation of evidence which would be irrefutable.

"The beginnings of Zion, behold them!
I give Jerusalem a herald of joy."

The optimistic prophet did not for a moment doubt that the Israelites would at once undertake the reconstruction of their metropolis. In the midst of his fiery passion, he could not repress a smile at the discomfiture of the idol-makers, when they saw themselves defeated by the onrush of events. They would flee, each one to his place, confessing their works "vapor and vanity."

Yet how was the demonstration of God's truth, be it ever so dramatic and cogent, to be brought to the peoples of the world? The answer was simple — through the scattered communities of Israel's diaspora. It was not in vain that Israelites were to be found in every important center the prophet had visited. There were some in Egypt; there was a large deportation in Babylonia; there was a colony in Tyre; and there were the remnants, doubtless, of the ten tribes in Media. A frontal attack on idolatry might fail; but "the worm of Israel" making its way through the mountains of unbelief would grind them to dust even more effectively than threshing-sledges of iron. Who has not seen the hills of sand which the tiny worms dig up from the ground? And who will say that given determination and a purpose, these worms could not reduce great masses of earth?

Perhaps ordinarily the task might seem formidable. But the world was thirsting for the message of Israel. Like wanderers in a wilderness, the nations' throats were parched with scepticism, unbelief, and superstition; it was God's will that their need be answered — through Israel.

The shift in the prophet's interest from the physical restoration of Jerusalem to the spiritual reformation of humanity was probably altogether unconscious. Soon, however, he realized that the two ideals were not opposed to each other but supplementary. It was not as a boring worm — through the diaspora — that Israel was to influence mankind, but as a human teacher, a Servant of God, having his home in the world's spiritual center, Palestine.

There was no need for violence;[38] the prophet had no mind to contest the government of the world with the prince of Anshan. Israel had but to develop the true faith and become conscious of its mission; and all nations would ultimately hearken to it.

> "Behold My Servant, whom I sustain; My chosen in whom My soul delighteth;
> I have put My spirit upon him; he will make the right to go forth to the nations.
> He will not cry nor shout aloud; nor make his voice heard in the street.
> A bruised reed he will not break; and a dimly burning wick he will not quench;
> He will make the right to go forth according to the truth.
> He will not chide nor deal harshly,
> Till he have set the right in the earth, and the isles await his teaching."

Turning to the people themselves, he cries out:

> "I, the Lord, have called thee in righteousness,
> I took thee by the hand and kept thee,
> And have made thee My pledge to the peoples, the light of the nations;
> To open sightless eyes, to bring captives out of prison, from the dungeon those who sit in darkness" (42.1ff.).

Did anyone challenge these claims? Did they deny the prophet's prediction that soon the whole world would be united in the service of God? Let them beware. The physical victories of Cyrus had been foretold and had come to pass; so would the spiritual victories of Israel. It was only the blindness and deafness of Israel, the "Servant of God," which prevented him from seeing his opportunity and his task. Israel looked upon itself as a small people, entrapped and imprisoned, not realizing that only its sins brought evil upon it; and that freedom, service and spiritual leadership were beckoning to it, as soon as it returned to God.

There were moments, of course, when the prophet realized how fanciful his vision was. His heart wanted to believe; but his mind remained unconvinced. The whole dream was manifestly absurd. The sober rationalist who had seen Tyre and Zidon, Egypt and Asia Minor, who knew their culture and their civilization, their commerce and their wisdom, their art and their poetry, their wealth and their taste, could not, try as he might, persuade himself that their moral leadership must come from tiny, subject, rural Judah, with its ignorant, narrow-minded, crude-mannered peasantry. Still, backward as his countrymen were in every other phase of life and intellect, they alone, by some miracle — it could not possibly be anything else — had been informed of God's true being. With prophetic insight, which the history of later centuries was so amply to confirm, he returned to the solution which had suggested itself to him at the beginning — the use of the diaspora. The enlightened Israelites of the Dispersion, the traders of the great world centers, who knew Israel's ideals and understood the life of foreign countries, would serve as the interpreters of God to mankind.

True, so long as they remained scattered in their distant ports, they were themselves spiritually impotent. The prophet had seen them at close range. He knew their weakness as well as their strength. Their religion was syncretistic; their habits of mind assimilationist. They had lost contact with the sources of their own faith; they were engrossed in their daily tasks; they admitted themselves descendants of Jacob; some of them proclaimed themselves followers of YHWH; only a few definitely wrote on "their hands the name of YHWH, and announced themselves part of Israel." How were such men to be inspired to take over the task of recasting the mind of the world?

At last the prophet realized the significance of the call which had come to him at the beginning of his career. The men of the Dispersion who were carrying on the commerce of pagan cities would be brought back to Jerusalem; they would raise it to its former glory; and then, with their help, the divine message might go forth to the nations of the world. The restoration of Jerusalem and the reformation of humanity were thus not at all rival ideals; they were different phases of the same effort. Jerusalem had to be rebuilt that Israel might be exalted; Israel had to be exalted that Man might be saved.

The gathering of the dispersed of Israel was not, as the prophet now saw it, so hopeless as it might appear at first glance. Cyrus was about to attack Babylonia; his advent would be not merely a portent for Israel, but also a means for its reëstablishment. His conquest of Babylonia would enable the exiles in that country — the largest contingent of the Israelite diaspora — to return and would inaugurate the culmination of the prophetic program. In an address, full of humor and irony, the prophet envisages the assembling of the nations and their idols to see the glory of Israel and its God. In a single dramatic act, such as the situation demanded, God would demonstrate His truth before all the nations.

> "Sing, ye heavens, for the Lord has wrought it,
> shout, ye depths of the earth;
> Break forth, ye mountains, into song; forest, and every tree therein;
> For the Lord hath ransomed Jacob, He glorifies himself in Israel.
> Thus saith the Lord, thy Redeemer, He who formed thee from the womb,
> I am the Lord, maker of all . . . .
> Who confirms the word of His servant, and perfects the counsel of His messenger,
> Who says to Jerusalem, Be peopled, and to the cities of Judah, Be builded; yea, all its ruins will I restore;
> Who says to the deep, Be dry, and all thy rivers shall I make dry ground;
> *Who says of Cyrus, He is My shepherd, and he shall fulfil all my pleasure*" (44.23 ff.).

That the prophet should have dared to mention the Persian King while the Babylonians still ruled Judah may seem singular. Obviously, however, Cyrus had not yet attacked the Empire. It was only in the prophet's mind that he appeared as the world conqueror; and it was by implication, rather than with explicit statement, that the prophet indicated his belief in the Persian as the future victor.

Suddenly, Cyrus fulfilled the prophet's expectations and attacked Babylonia. There could no longer be any question of the trend of world events. The prophet can hardly contain himself:

> "Thus saith the Lord to his annointed, to Cyrus
> Whose right hand I hold,
> To trample nations before him, and loosen the loins of kings,
> To open before him the doors, and that the gates may not be shut;
> I will go before thee, and make the crooked places straight,
> I will break in pieces doors of brass, and cut in sunder bars of iron,
> And I will give thee treasures of darkness, the hoards long hidden in secret.
> That thou mayest know that I am the Lord,
> Who calleth thee by thy name, even the God of Israel . . .
> Maker of light, and creator of darkness, author of peace and creator of evil, I, the Lord, perform all this" (45.1ff.).

Almost as though he expected his words to be literally transmitted to the Conqueror, the Prophet carefully indicates that Israel's God of light and darkness, and not the Zoroastrian Ahura-Mazda, had given Cyrus his victory.[39] But the teacher's main concern is after all with Israel. He was more than ever impatient with Israel's slowness to understand her place in the world. "Alas," he cries, "for him that strives with his Maker; a potsherd with the maker of the earth. Shall the clay say to him that fashions it, What doest thou? Or thy work has no value at all? Can one say to a father, What begettest thou? Or to a mother, With what dost thou travail?" (45.10). It was impossible for Israel to escape the divine destiny put upon it. Cyrus would rebuild Jerusalem, he would restore the exiles, the metropolis would develop, distant nations would come to it to worship God; almost against the will of its children it would become the spiritual capital of the world. "Yea, Thou art a God, who veils Himself," the prophet cannot help calling out, "the God of Israel, the saviour" (45.15).

The prophet would have been less than human had the fall of Babylonia not moved him to cogitate on her career, her arrogance, her tyranny, and her end. He expects his people to come flocking back to the land of their ancestors, convinced at last that their destiny is fixed by God. Not only those in Babylonia, but those in Egypt and those in distant Media will return to rejoice in the miracle which was performed for them. "The self-despised, world-abhorred servant of nations" (49.7) will receive the homage of kings and prostrations of princes.

The exultation of the prophet was short-lived. At the supreme moment of his life, two terrifying disappointments were in store for him. Neither Cyrus nor Israel were ready to accept the prophetic mission. The expected edict of Cyrus, obtained doubtless through the unrecorded but heroic efforts of Babylonian Judaites, was at last issued. It reduced the aspirations of the Judaites to an almost negligible minimum.[40] There was no call to the exiles to return to the land; there was no announcement of the special place of Jerusalem in the religious history of the world. Judah was offered no rights of autonomy; its limits remained those fixed by Nebuchadnezzar in 597 B.C.E.; the *Negeb* was not restored to Judah; and there was no possibility of extending the Judaite domain to include the land of the Samaritans. The "redemption" had reduced itself to the return of a few exiles; the appointment of a Judaite *Pehah* (governor), Sheshbazzar, the scion of the late King Jeconiah;[41] the permission to rebuild the Temple, within definitely fixed limits; and the return of the sacred vessels which the Babylonians had taken from the sanctuary.

Even more disappointing was the exiles' response to this edict. The first return consisted of some forty thousand souls (Ezra 3.64). Whether they all came at once, or in the course of years, is not stated; but we may assume that they were not transplanted suddenly, or without regard to the necessity of orderly, slow settlement. In any event, the migration of forty thousand people seems impressive enough from the distance of twenty-seven centuries. Yet the prophet had expected more. He had hoped that the Babylonian exiles would rise as one man and seek their ancient home. Was this meager group of pioneers the Commonwealth he had foreseen? Was this the beginning of mankind's conversion to God? Was this insignificant ripple in the history of an obscure province and a despised people a sign which would demonstrate to the world the greatness of the God of Israel? For a moment the prophet was dumbfounded. The failure of the pagan King could be explained. Other potentates had proven themselves unworthy of prophetic confidence. Obviously Cyrus was not God's anointed. But what had happened to the people of Israel? The uncompromising, enthusiastic prophet could not realize that the immediate return of forty thousand people from a land in which they and their fathers had been settled for almost half a century to a devastated country, was an astonishing demonstration of loyalty. Surely, it seemed to him, the exiles could not understand the significance of the events which were occurring about them.

> "Wherefore did I come and find no one; call, but with none to answer?
> Lack I aught of power to ransom? Is there not in Me strength to rescue?" (50.2).

Did Israel consider herself divorced from God? Did she think He was without power to help her that she refrained from returning to His open arms?

There was little to be gained by these expostulations with an absent, distant, unhearing audience. Those who remained in Babylonia and the other seats of the diaspora had failed the prophet; he must see what could be achieved with those who had returned. They, too, were disheartened; and the prophet's manifest duty was to reawaken their courage and their hope, to show them that they were the nucleus of the Commonwealth of which he and they had both dreamed. Neighbors might laugh at their pretensions; might scoff at their weakness; might deride their aspirations. But they must not falter. He, himself, had "set his face like flint," knowing that ultimately he would be vindicated. He called on them to do likewise. On no other occasion did the prophet so manifestly transfer his own feelings to the people. Ostensibly it is Israel, the idealized Servant of God, who speaks; but the passions are clearly those which the prophet felt in his own spirit.

> "The Lord hath given me a tongue for teaching,
> To know how to help the fainting with a word,
> He wakeneth me early,
> Yea, early he quickeneth my ear,
> To hear as a pupil ....

I gave my back to the smiters, my cheeks to those
who plucked the beard;
My face I shielded not from insult and spitting.
The Lord, God, is my helper; therefore I am not
confounded" (50.4 ff.).

They were not the mighty torches which he had hoped God would hold up to the nations; they were the first sparks of gradually increasing flame.

"Who among you feareth the Lord, listening to the
voice of His servant,
Walketh in darkness, without light,
Let him trust in the name of the Lord, let him rely
on his God;
Behold, ye are all kindlers of fire; lighters of brands;
Go then in the light of your flame, in the brands ye
have kindled.
Ye have this from My hand,
For My sake, cleave ye to it" (50.10 ff.).[42]

Even as he spoke, however, the prophet's heart sank within him. He was trying to hold up the courage of his followers; but how could he hold up his own courage? He tried to find consolation in Israel's past. The wonders of the creation no longer interested him; what he needed was evidence not of God's power but of His interest in Israel. He looked back to Abraham. He had been only one, but God had "blessed him and given him increase" (51.2). He thought of the exodus from Egypt. Certainly the arm which "had cleft Rahab, which had pierced the dragon" (51.8), was able to redeem Israel once more. What concern had he then with the decisions of "a mortal man, or the son of man who is made as the grass?" (51.12). How could he have forgotten that his true reliance must be on "the Lord, his Maker?" Yet he could not help weep when he thought of the fate of Jerusalem, deserted by her own offspring, with "none to lead her of all the sons she bore, none to take her by the hand of all those she had reared" (51.18). Impatient with the dereliction and betrayal of the unresponsive diaspora, he distinguishes, for the first time, the righteous in Israel from the wicked. He had always, before, thought of Israel as a unit; but it was obviously multifold, compound, and complex. Those who had returned are "the pursuers of righteousness, who seek the Lord"; "those who know righteousness, people in whose heart is My Law." Never again would he utter the call to "Israel and Jacob," which is found in almost every one of his earlier prophecies. Except with reference to the God, or the Holy One of Israel, or events in Israel's past, the name disappears from his vocabulary.[43] There were those who responded and those who failed to respond; no tie united the two parts of the people.

The prophet was too powerful a spirit to withdraw from his task in the face of this collapse of his expectations. He continued to strive for his ideal — the conversion of mankind to God. But his prophecies had lost their youthful exuberance and sense of exultation. A note of sadness, almost a confession of failure, runs through almost all his subsequent addresses. With one or two exceptions they are all set in the minor key; indeed some of them even lack the poetic beauty of his earlier verse. The Prophet had suddenly become old, dispirited, prosaic. He was still wise, far-sighted, and more than ever liberal and great-hearted. Yet crushed and defeated, he permitted a certain impatience and bitterness to enter his soul. He had no doubt that

Zion would ultimately be rebuilt, God vindicated, and the world converted; but clearly it was not to be in his day or generation.

"The heavens shall vanish like smoke,
And the earth wear out like a garment,
Its people must likewise perish;
But My salvation abideth forever,
My triumph shall never be ended" (51.6).

And then, instead of anticipating a quick flight of all the exiles to Palestine, he remarks:

"Depart, depart, go out thence,
Touch no unclean thing!
Forth from the midst of her, purify yourselves,
Ye bearers of the Lord's utensils.
For not in haste shall ye go forth,
And not in flight shall ye remove;
For the Lord goeth before you,
And the God of Israel is your rearguard" (52.11f.).

The painful cogitations which filled the prophet's mind during these months of heart-rending disappointment, ultimately led to a moral discovery which must rank among the foremost events in the annals of human religion. Could it be, he asked himself, that the shame, suffering, and disappointment of his people were themselves part of the intricate divine plan to bring salvation to the nations? Was it necessary for the spiritual glory of the New Commonwealth that it begin humbly, with apparent failure? The questions had only to be raised for the answer to appear. It was manifest that had Israel returned from the exile through the decree of Cyrus, the sceptical would have explained the event in purely human terms. Israel had to return into the land, a humble and low group of immigrants, so that nations might watch it attain greatness as a divine symbol which could be neither mistaken nor disregarded. It had to be reduced to the lowest depths of suffering and humiliation, that its rise might be the more dramatic, magnificent, and impressive.

He called on his people to accept this fate with submission, and even with joy. If their suffering was necessary to bring about man's spiritual restoration, they should accept it, not only resignedly, but gladly. They were to be the martyr-nation, the self-effacing Servant of God. They could ask for nothing; they lived only to give.

The superb Idea, finally formulated, gushed forth in a torrent of eloquence, such as had rarely come even from the prophet's inspired lips.

> "Behold, My servant shall prosper,
> He shall be honoured and greatly exalted.
> For as much as many were appalled at him,
> For his face was marred more than any other,
> And his visage than the children of men,
> So shall the mighty ones be startled at him,
> Kings shall be silent before him,
> For what had not been told them they shall see,
> What they had not heard, they shall understand.
> 'Who had believed what we report?' [they shall say]
> 'And to whom was the Lord's arm revealed?
> For he grew up as a slender shoot before us,
> As a root out of the arid ground;
> He had no form nor charm, that we should notice him;
> No beauty that we should admire him.

> He was despised and forsaken of men, a man of sorrows
> and acquainted with pain;
> As one from whom men hide their faces he was despised,
> and we esteemed him not.
> *Yet it was our woes that he bore, and our sorrows that
> he carried;*
> *While we accounted him punished, smitten of God,
> and afflicted.*
> *But he was wounded for our transgressions, bruised
> for our iniquities;*
> *On him fell the chastisement that made us whole, and with
> his stripes were we healed.*
> *All we like sheep had gone astray, we had turned each
> to his own way;*
> *And the Lord laid on him the penalty, charged upon him
> the guilt of us all*' " (52.13—53.6).

But the suffering of his Servant is not to be in vain. The Lord assures him:

> "When his life shall make atonement for sin,[44]
> He will see his seed, will prolong his days,
> And the Lord's purpose will prosper in his hands.
> He will see the fruit of his mortal travail,
> In knowing himself true will be satisfied;
> My servant will bring many to the right,
> For he will carry their sins" (53.10–11).

The powerful call has rung across the centuries, moving generations of men as have few other passages in literature. It has been the inspiration of poetry, music, and legend, no less than of religious devotion and martyrdom. Yet so high is the ideal that few even in the most enlightened day can be said to attain it. There are thousands, even tens of thousands, who are willing to give their own lives for great causes, and sometimes even for small matters. But how many are there who can think of their people, their extended ego, as a means to aid other people more distant from them? Yet this is exactly what the ancient prophet demanded from his fellow-Palestinians. They were not to seek independence or national greatness, they were not to hope for power or mastery, they were to find contentment in the mission which God had assigned to them, to be hated because they loved, to be persecuted because they were right, to be spurned because they were magnanimous.

Like the other visions of the prophets, this one was destined to be fulfilled with an accuracy which would have amazed his most devoted followers. The religion of Palestine was ultimately carried to the ends of the earth; the day was to come when kings and princes were to prostrate themselves before the Holy City; the God of Deutero-Isaiah was to be worshiped by half the human race. The prophet was destined to be vindicated also in his belief that his result could be achieved only after the religion of Israel had been purified in the enlightenment of a restored Jerusalem; and that the bearers of the message were to be primarily the Jews of the diaspora. In the curious paradox of history, however, the people who gave this religious guidance to the western world became the Suffering Servant, being exposed to the most continuous and persistent religious persecution ever inflicted on any group. When the ancient world collapsed, and all Europe was thrown back into primeval darkness, the continued existence of Israel helped restore something of the classical light in the first renaissance of the twelfth century;[45] Israel's curious devotion to ancestral customs, language and literature enabled later generations to comprehend fully the teachings of the prophets and the apostles; its survival as a submerged minority which, in the midst of economic and political suffering, yet retained high cultural, intellectual, ethical, and religious interests, raised from among it a whole series of tribunes of the people, who have kept alive the prophetic traditions of human equality even until our own day. But how could the prophet know that the conversion of the world, which he foresaw, would take place only after eight centuries, and that the Suffering Servant would in truth enter on his tragic rôle almost at the same moment?

If the future was partly concealed from the prophet, it was altogether unintelligible to his audience. The description of the Suffering Servant must have fallen on their ears like a terrifying malediction. For them its sweet cadences were not imaginative poetry, but grim reality. The program was too heavy for mortals to accept without protest. So discouraging must have been the effect of his words that the prophet soon felt impelled to brighten the gloom with a vivid picture of Jerusalem's ultimate glory. Jerusalem might be barren, he cried, but she would ultimately produce more children than many a fruitful mother; there was no reason for either shame or fear; her future spiritual leadership of the world was assured by God Himself. Yet even as he spoke with conviction and encouragement, the prophet let drop a word which showed how deeply his own spirit was suffering. He had begun his career with a call to his people to "comfort" Jerusalem; he had to confess that after years, perhaps after decades of preaching, she still remained "uncomforted."

"Thou afflicted, and disquieted, and uncomforted,
See, I lay thy foundations with beryl,
And ground thee with sapphires;
I will make thy battlements with rubies;
And thy gates of carbuncle-stones,
Wholly of gems thine enclosing walls" (54.11f.).

It is altogether probable that the prophet, having delivered this message, was silent for some years. If the future of Israel was to be an eschatological redemption, there was nothing more to be said. At any rate an obvious lacuna separates the address to the "barren one" in chapter 54 from the renewed call in chapter 55. The difference is far from sufficient to justify the theory of another author, especially in view of the fundamental similarities in style and thought which persist throughout the work.[46] But it does indicate a profound crisis in the prophet's career. It is clear that the teacher had been mingling with the exiles of Babylonia and had come, partially, under the influence of their teachings of the significance of the Sabbath, the moral responsibility of the individual, and the fundamental importance of social justice. His disappointment in Israel had already freed him from belief in it as a moral unit. But he had still failed to recognize the ethical implications of his new frame of mind. The social conflict, the struggle of man to dominate man, and the injustice of exploitation, were quite invisible to his country-trained eyes. His contact with the Babylonian Judaites removed the scales from his eyes. Suddenly he saw the world as it was, and at once he emerged as the teacher of social righteousness, human equality, international peace, and loyalty to Judaite ceremonials.

His first reference to the problem of individual justice occurs in his comforting address to the "barren one." It was a somewhat hesitant, almost embarrassed suggestion, yet sufficiently definite to be unmistakable. Addressing Jerusalem, he said merely:

> "With righteousness shalt thou be established;
> Be far from oppression,
> That thou mayest not fear,
> And that terror may not approach thee" (54.14).[47]

The remark may seem to us quite innocuous; yet so foreign is it to the content of preceding addresses that as careful a commentator as Duhm removes it as a gloss![48] The truth, however, is that the prophet must be taking his first step in the direction of social teaching; the next chapter reveals him in his full stride. With the passing of time, he accepted not only the principle of individual responsibility and the concern with social righteousness, but he even alluded to angelic intermediaries between God and man, and became the foremost exponent of prophetic internationalism.

His new doctrine of universalism is of especial interest because of its relation to his youthful teachings. He had always been concerned with the conversion of mankind to a knowledge of God. But it had never occurred to him that in the spiritual empire to be established Israelite and converted pagan would be equal. He had not discussed the problem in detail; but it is clear that Israel was to remain the "guide" of all the other nations. Like the apostle Paul many centuries later, he conceived of two measures of observance — one for the Jew, another for the Gentile.[49]

Such a doctrine was entirely opposed to the mentality of the returning exiles. The equality of all men was a fundamental principle of their faith; and they looked forward to a time when everyone would be equal before God. The acceptance of proselytes into Judaism had been practiced by them throughout their sojourn in Babylonia; they could not conceive of any different policy being adopted now.[50]

It was apparently a curious incident which brought the prophet out of his retirement and thrust him once more into the arena of public debate.[51] A eunuch, attached to the governor's court, wanted to become Judaized; were the Jews ready to accept him? The prophet considered the problem so important that he devoted a whole chapter to it.

"Ho, everyone who thirsts, come ye to the waters [he cries],
Yea, come he who has no money;
Buy and eat, without money,
And without price both wine and milk . . .
Incline your ear, and come unto Me,
Hear, that your soul may live,
And I will make an eternal compact with you,
The favor assured to David . . .
Let not the stranger say,
Who has joined himself unto the Lord,
Separate indeed am I,
By the Lord from His people.
Nor be it said by the eunuch,
Behold I am a withered tree . . .
And the strangers who join themselves

Unto the Lord, to do His bidding,
To love the Name of the Lord
And to prove themselves His servants,
All who keep the Sabbath, not profaning it,
And who lay fast hold of My covenant,
And I will bring them to My holy mountain,
And give them joy in My house of prayer;
Their whole-burnt offerings and sacrifices
Shall be offered for acceptance on My altar;
For My house a house of prayer
For all peoples shall be called.
'Tis the word of the Lord, God,
Who gathereth the scattered of Israel:
Yea, others to him will I assemble, My own to be ingathered" (55.1ff.).

No more fervid plea for the equality of all peoples in worship had yet been heard in Israel. What followed this announcement is not recorded; but it may be inferred from the following address, in which the prophet leaves the high rostrum from which he had delivered all his earlier utterances and undertakes a fierce, bitter, personal arraignment of his opponents. All the suppressed passion of his soul breaks forth in an invective which is almost without parallel in Scripture. The prophets (obviously those of rural, Judaite origin) who opposed him, are "blind, unable to discern"; they are "dumb dogs, unable to bark, dreaming, napping, loving slumber," forsaking the flock which is entrusted to their care. "Yea, and the dogs are greedy, they cannot be satisfied!" As if to make clear that he is speaking of village prophets, of the same type Amos had denounced more than two hundred years earlier,[52] he accuses them of crying, "Come, I will fetch wine! Let us revel with drink. And thus shall be yet the morrow, a great day, surpassing!" (56.12).

From the provincial prophets he turns to an equally relentless denunciation of their followers. The accusations he makes against them could hardly be valid for all the villagers. But in his bitter anger, he makes no distinction between those of the villagers who are purist in their worship of YHWH, and those who are syncretist; both are alike in their opposition to his universalist teaching; and both are condemned. And, indeed, if the purists were willing to admit the syncretist Judaites as their brethren, how could they reject the pagans, who were hardly more idolatrous? It is almost impossible to reproduce in translation the fire and vehemence of the original.

"But as for you, come ye hither, sons of the sorceress,
Seed of the adulteress and the harlot! Whom are ye mocking?
At whom do ye make wide mouths and thrust out the tongue?
Are ye not the offspring of sin, the seed of falsehood?
Ye who burn with lust at the terebinths, under each green tree;
Who slay your children in the valleys, in the clefts of the rocks" (57.2 ff.).

Adopting Hosea's and Ezekiel's metaphor of idolatrous Israel as the faithless wife,[53] he cries out with increasing wrath:

"On a lofty, o'ertopping mount, hast thou placed thy couch,
Thither hast gone up to offer sacrifice,

> Behind the door and the post, hast thou set thy symbol.
> Yea, deserting Me, hast thou gone up, hast made wide
> thy bed;
> Thou hast taken thee a compact from them, preferring
> their couch" (56.6 ff.).

Never before had the prophet used such words of either Israelite or pagan; never before had he said a word in criticism of the village prophets; never before had he attacked the sin of rural syncretism. The whole chapter is clearly a reply to the criticisms which had been raised against his decision. He was not defending himself, but his views; his anger was aroused not by personal chagrin, but by fear of disaster to his cause. His cry is still, "Build up, build up, prepare the way, take the stumbling blocks from the way of My people." The God who dwelleth "on high and in sanctity," but also with the "contrite and the lowly of spirit," having smitten Israel, has healed him. He has given "in full measure consolation to him and his mourners," crying "peace, peace, *to the far* as well as to the near!" Whoever trusts in Him, whether Judaite or Gentile, "will inherit the land," but "for the wicked, there is no peace!"

The fierce denunciation of the syncretists had somewhat calmed the prophet's temper. But the controversy had opened his eyes to a far subtler difference between the villagers and the "pursuers of righteousness." Even when the provincials were followers of YHWH, and worshiped only at the sanctuary in Jerusalem, they were not without grave blemish. They might be guiltless of the enormities he had described, but they were mere ritualists, blind to the true significance of divine religion. Rising up before them on one of the fast days, he ruthlessly denounced them in a poem which is still appropriately read in all synagogues on the Day of Atonement:

> "Is not this the fast I desire:
> That ye loose unrighteous bonds, and burst the bands of the yoke?
> That ye set the crushed at liberty, and unbind every grievous burden?
> Is it not to share the bread with the hungry, bringing the poor and oppressed to thy house?
> When thou seest one naked, that thou shalt clothe him, and hide not from thine own flesh?" (58.6 ff.).

It was social unrighteousness which prevents the development of Israel as the moral teacher of the world, as the true Servant of God.

> "Behold, the hand of the Lord lacks not power to rescue,
> His ear is not dull of hearing;
> Nay, your own sins are barring you,
> Withholding you from your God . . .
> For your hands are defiled with blood,
> And your fingers with evil-doing;
> Your lips have spoken falsehood,
> Your tongue repeateth iniquity.
> No one cries out with righteousness,
> No one gives truthful judgment,
> Trusting in vanity, speaking lies,
> Conceiving trouble, and bringing forth deceit . . .
> Dealing wickedly, falsely
> Turning back from following our God;

> Speaking oppression with rebellion;
> Conceiving and uttering in the heart lying words.
> Justice is made to turn back,
> Righteousness stands afar off;
> For truth has fallen in the street,
> And rectitude cannot approach" (59.1 ff.).

Yet even this cannot ultimately prevent the realization of the prophet's dream. The Covenant of the Lord will be fulfilled; His light will burst on Israel as a new sun; Jerusalem will still attain its place as the spiritual metropolis of mankind. Finding Himself without human help, God will appear in eschatological might; He will crush His opponents and usher in a new world.

And so, having lost hope in human endeavor, and waiting for God alone, the prophet approached his end. In a psalm of heart-rending appeal, he recalls God's aid to His people in former times, and asks why He has forsaken them now. He had, himself, answered the question before; they were the Suffering Servant. Yet the failure of any light to break through the dark clouds, the passing of decade after decade without any sign of God's appearance, called for some more realistic explanation. The prophet who, like Ezekiel,[54] continued until the end to ignore the problem of human intent, asks God why He makes Israel so sinful.

> "Why dost Thou cause us to err from Thy ways,
> And harden our hearts that we fear Thee not?" (63.17).

In the next chapter, the prophet gives us the divine reply. God had offered His help, doubtless through the prophet's first call, to a people which had not yet turned to Him; He had spread His hands to them all day, begging them to build their ideal nation. But — once again the prophet inveighs against the village worship which he had tolerated so amiably in the first half of his ministry —

> "The people that give provocation to Me, to My face, without ceasing,
> Offering sacrifice in the gardens, burning incense on brick altars;
> Who make their abode in the tombs, and lodge in the secret caverns;
> Who eat the flesh of the swine, and defiling broth in their vessels;
> They who cry out, Stand back! Touch me not, I am holy for thee! . . .
> These who burn incense on the mountains, and on the hilltops have defiled Me; I will measure out their payment in their lap" (65.3 ff.).

At last the prophet had arrived at the principle of individual reward and punishment. The wicked in Israel will perish, the righteous alone among them and among the other nations will be saved.

> "Behold My servants shall sing from gladness of heart, but ye shall cry out from anguish of heart;
> From anguish of spirit ye shall wail, and your name ye shall leave for a curse" (65.14).

Those who mourned for Jerusalem would join in rejoicing with her in her restoration; but those who neglected her, who worshiped at the village altars, would suffer the judgment of the Lord. Not that the prophet believed that God was in any way limited to His Temple:

> "Thus saith the Lord, The heaven is My throne [he begins],
> And the earth the footstool of My feet;
> What manner of house will ye build for Me,
> And where is the place of My abiding?
> Rather upon this will I look, upon the lowly,
> Him of contrite spirit, that trembleth at My word" (66.1 ff.).

Yet man needed a center of worship; and this was to be the sanctuary in Jerusalem. There would be no superiority of Jew over Gentile in the ritual; even priests and Levites would be accepted from the heathen who would come to it.

> "And it shall be from new moon to new moon,
> And from one sabbath day to another,
> That all flesh shall come to offer
> Their worship before Me, saith the Lord" (66.23).

Thus with a last glance at the Promised Land, toward which he had been striving all his life but which he was not destined to enter, the prophet disappears. He had lifted prophecy to unprecedented heights; he had brought a large section of native Judaites under the influence of the advanced doctrines of the returned exiles; above all, he had created an idea which was ultimately destined to affect, in a measure, the contour of western thought. For the hope of the conversion of the world to prophetic religion did not die with its originator. Centuries later the Pharisees traveled over land and sea to win converts to their views, and proselytes to Judaism were to be found in Rome, in Egypt, and in the midst of Arabia. And finally, when Judah, weary with its struggle against Rome, was beginning to withdraw into itself, the task was taken over by the apostles of Christianity. Victory came; but to a prophet who could no longer enjoy it, and to a Jerusalem which was not even aware of it.

XIX. SOCIAL AND POLITICAL CONFLICT UNDER THE PERSIAN RULE

Either toward the end of the Second Isaiah's life or soon after his death, there occurred a series of events which left a permanent impression on the contemporary prophetic writings. Cambyses, the son and successor of Cyrus, undertook the conquest of Egypt; in his absence, a pretender, Gaumata, posing as the King's murdered brother Smerdis and supported apparently by a large group of the Median nobility, whose tool he was, seized the throne of the Empire. So powerful did this pseudo-Smerdis become that Cambyses, hurrying back from Egypt, apparently despaired of regaining his authority and committed suicide. Since Cambyses had no direct heirs, Darius, son of Hystaspes, the next in the order of succession, undertook to avenge his death, and in the year 522 B.C.E. became King.

Darius's rise to the throne was at first only nominal; large sections of the Empire were in open revolt against him. His struggle with the rebels occupied almost two full years; and it was not until April of the year 520 B.C.E., that he could truly call himself King of Persia.

Meanwhile, Sheshbazzar, the first governor of Judah, had been succeeded by his nephew, Zerubbabel.[1] While neither Zerubbabel nor his people took any part in the widespread disturbances, they were, of course, deeply concerned with the course of events. It must have occurred to many of them that the troubled times were propitious for the completion of the sanctuary in Jerusalem. The Government of the Empire, engrossed with larger concerns, and grateful for the loyalty of the people as well as eager to please them, would probably not interfere. The responsible heads of the community, Zerubbabel, the governor, and Joshua, the High Priest, realized however that the very circumstances which to inexperienced minds favored the undertaking, in reality surrounded it with perils. In a time of unrest, any effort to further an important piece of construction in the devastated city of Jerusalem might be interpreted as the first step toward revolution. "The time is not come," they pleaded with their enthusiastic followers; "the time that the Lord's house should be built" (Hag. 1.2). Only when peace had been restored throughout the Empire, did Zerubbabel and Joshua consider these objections removed. When Haggai, who had doubtless been a leader in the movement to rebuild the Temple even before this time, arose toward the end of August, 520, and demanded immediate action, he met with a willing response even from those who had been hesitant.

Only two chapters have been preserved from the prophet, who thus made his appearance on the stage of history. Yet such was the chiseled sharpness and distinctiveness of his personality that these few verses are almost sufficient for a reconstruction of his character and philosophy.

His diction and his imagery betray rural associations and indicate that he was descended of the peasantry who had survived in Palestine during the whole period of the exile. Indeed, his whole appeal is based on the belief that greater piety will result in better harvests. A reconstructed Temple is a prerequisite, he insists, to increased productivity of the soil:

> "Ye have sown much, and brought in little,
> Ye eat, but ye have not enough,
> Ye drink, but ye are not filled with drink" (1.6).

"Therefore over you the heaven hath kept back, so that there is no dew, and the earth hath kept back her produce" (1.10). "Through all that time, when one came to a heap of twenty measures, there were but ten; when one came to the winevat to draw out fifty press-measures, there were but twenty; I smote you with blasting and with mildew and with hail in all the work of your hands; yet ye turned not to Me, saith the Lord" (2.16 ff.). "Is the seed yet in the barn? yea, the vine, and the fig tree, and the pomegranate, and the olive tree hath not brought forth — from this day I will bless you" (2.19).

The naïveté of this prediction is entirely consonant with the whole outlook of this prophet, which is identical with that of the earlier rural seers. Like them he denies, as we have already observed, the existence of angels.[2] But no less important is the emphasis which he, in common with the Wisdom writers, lays on the increased wealth.[3] The goal of material success which he places before the people is altogether out of accord with the philosophy of the plebeian prophets. Naturally, he does not utter a word about individual righteousness, and has nothing to say about the problems of social injustice and human equality.

There can be little doubt therefore that the prophet represented the views of the purist faction of the provincials, the worshipers of YHWH whom Deutero-Isaiah had denounced for their ritualism, but who were guiltless of any apostasy.[4]

Like his fellow-provincials, Haggai was an extreme nationalist; and when the world cataclysms of the year 521–520 occurred, they suggested to him new possibilities for Israel. The prophet realized that for the moment Darius was victorious over his enemies; but Haggai could not believe that the revolutions which had broken out spontaneously in various parts of the Empire could in reality be put down as completely as they seemed to be.

At any rate, it pleased the prophet to think that the peace which had been restored was merely a lull in the storm. God had offered the Judaites a sign. As soon as His house was completed, the world would be thrown into new confusion.[5] The Empire would be disrupted and then—. The prophet did not dare explore the Messianic vistas which opened before him. Had not the Second Isaiah promised Israel a glorious kingdom? His words were speedily to be fulfilled. "Yet a little while more," said Haggai, "and I will shake the heavens and the earth and the sea and the dry land; and I will shake all nations, and the choicest things of all nations shall come, and I will fill this house with glory, saith the Lord of hosts" (2.6 ff.). A few months later, he says even more pointedly: "Speak to Zerubbabel, governor of Judah, saying, I will shake the heavens and the earth; and I will overthrow the throne of the kingdoms . . . . and I will overthrow the chariots, and those that ride in them; and the horses and their riders shall come down, every one by the hand of his brother. In that day, saith the Lord of hosts, will I take thee, O Zerubbabel, My servant, the son of Shealtiel, saith the Lord, and will make thee as a signet; for I have chosen thee, saith the Lord of hosts" (2.23).

These dangerous words show how easily the "quiet" nationalism of Deutero-Isaiah's early prophecies could transform itself into the fiery militarism against which Jeremiah and Isaiah had struggled. The farmer's acceptance of Persian rule was superficial; a little scratch showed the ancient war spirit still alive and strong. But while the resurgent nationalism won some support from Haggai, it met opposition from his contemporary, Zechariah,[6] who followed in the pacifist tradition of the pre-exilic urban teachers, and the Babylonian immigrants.[7]

Just as Haggai is patently rural in his manner and his address, so Zechariah is artisan and in the urban tradition. In one vision he sees a man with a measuring line in his hand, trying to find the length and breadth of Jerusalem (2.6); in another, he is shown "a candle-stick all of gold, with a bowl upon the top of it, and its seven lamps thereon; there are seven pipes, yea, seven to the lamps, which are upon the top thereof" (4.2); in a third, he notices a "flying roll," and makes special mention of its dimensions, "the length thereof is twenty cubits, and the breadth thereof ten cubits" (5.2); the fourth vision is that of a measure and a piece of lead (5.7); he then sees four chariots coming between two mountains, "and the mountains were mountains of brass" (6.1). There is hardly a single reference in all the visions to vegetables or animals, such as we might expect from a man surrounded with rural scenes and spending his life in agricultural activity. But most convincing of all is his statement that taking gold and silver from some Babylonian pilgrims, he made crowns for Joshua, the High Priest, and perhaps also for Zerubbabel (6.11).

Zechariah was then a craftsman. Apparently he had learned his trade not in rural Palestine but in the Judaite settlement of Babylonia, and had come with the other pioneers between 538 and 520 B.C.E. As we might expect, he shows close kinship not to the Palestinian prophets, but to Ezekiel, the teacher of the exile. God speaks to him not directly but through an angelic intermediary; less frequently in words than in pictures; and with an emphasis on the world and the individual rather than on the nation of Israel.

In the midst of his concern with the momentous events of the day, he finds time to denounce iniquity and wrongdoing within the nation.[8] "Thus hath the Lord of hosts spoken, saying: Execute true judgment and show mercy and compassion every man to his brother, and oppress not the widow, nor the fatherless, the stranger, nor the poor; and let none of you devise evil against his brother in your heart" (Zech. 7.9, 10). "These are the things that ye shall do: Speak ye every man the truth with his neighbour; execute the judgment of truth and peace in your gates, and let none of you devise evil in your hearts against your neighbour; and love no false oath; for all these are things that I hate, saith the Lord" (8.16, 17).

Like Isaiah and Jeremiah he is deeply opposed to the empty ritualism of fasting. When he is asked by the people whether they should continue their traditional days of mourning and fasting, now that the Commonwealth had been restored, he says: "Then came the word of the Lord of hosts unto me, saying: 'Speak unto all the people of the land, and to the priests, saying: When ye fasted and mourned in the fifth and in the seventh month, even these seventy years, did ye at all fast unto Me, even to Me? And when ye eat, and when ye drink, are ye not they that eat, and they that drink?' " (7.4 f.).

Inevitably he was at odds with Haggai, the spokesman of the native, agricultural party. Neither prophet mentions the other, though they were active not merely in the same generation but in the same months. A later writer credits both with inaugurating the movement to establish the Temple; but in Haggai's book not a word is said of any support from Zechariah. It simply records that, "Then Zerubbabel, the son of Shealtiel, and Joshua, the son of Jehozadak, the high priest, with all the remnant of the people, hearkened unto the voice of the Lord their God, and unto the words of Haggai the prophet, as the Lord their God had sent him" (1.12). But a close study of the two prophets reveals not only indifference to each other, but clear and definite hostility and opposition between them. Haggai was the militant nationalist urging rebellion, Zechariah the traditional pacifist urging quiet and submission. When Zerubbabel was about to yield to the importunities of the war party Zechariah cried out: "This is the word of the Lord unto Zerubbabel, saying: Not by might, nor by power, but by My spirit, saith the Lord of hosts" (4.6). He does indeed promise Zerubbabel future greatness — "Who art thou, O great mountain before Zerubbabel? Thou shalt become a plain; and he shall bring forth the top stone with shoutings of grace, grace unto it" (4.7) — but this must come from divine, not human, activity. He has no wish for a physical wall about Jerusalem, "For I, saith the Lord, will be unto her a wall of fire round about, and I will be the glory in the midst of her" (2.9). He accepted the doctrine of the Second Isaiah welcoming the pagans into the worship of God. "And many nations," he says, "shall join themselves to the Lord in that day, and they shall be My people" (2.15). They shall not become Israelites; they will remain members of their own peoples; but they will be recognized as servants of God.

Haggai had uttered his prophecy of imminent world cataclysm on the twenty-fourth day of the ninth month of the year 520–519 B.C.E., the second year of Darius's reign. Zechariah allowed precisely two months for some sign of this approaching catastrophe to make its appearance. On the twenty-fourth day of the eleventh month Zechariah arose to give his views. In a vision, he had heard the divine messengers, who had been sent to investigate conditions on earth, report to their Master, that "We have walked to and fro through the earth, and, behold, all the earth sitteth still, and is at rest" (1.11). When the angel asks God when He will have mercy on Jerusalem, God replies "with good words, even comforting words" (1.13), "I return to Jerusalem with compassions: My house shall be built in it, saith the Lord of hosts" (1.16). Nothing is said of empire, or riches, or material power, or even autonomy. Such implicit denials of the nationalist aspirations might be "comforting" to Zechariah; they could hardly seem so to Haggai and his followers.

It was not long before Haggai's reckless enthusiasm brought on the danger Zerubbabel and Joshua had foreseen. The prophet's harmless Messianic dreams were represented to Zerubbabel's superiors as incitements to rebellion. Perhaps Zerubbabel had himself been imprudent in his replies to Haggai's words, or in his failure to repress him. He may have taken it for granted that his quietism during the upheavals had put his loyalty beyond question, and overlooked the obvious fact that his descent from the Davidic dynasty made him especially subject to suspicion. He may not have realized that the memory of the widespread revolts which had greeted the accession of Darius inclined the

Imperial officials to deal harshly with the slightest sign of disaffection. They could least of all afford to tolerate it in Palestine, the bridge between their empire and the newly conquered, still restive province of Egypt. In any event, before Haggai could utter a third nationalist prophecy, he disappeared from the scene, and shortly thereafter Zerubbabel followed him into obscurity. Whether they were banished from the land or met an even worse fate, our records do not say. That the country escaped punishment and that the building of the Temple was completed, indicates the trust of Darius in the peace party. Perhaps we may even surmise that the permission which the Persian government granted the Jews to build their Temple, was intended as a conciliatory, compromise measure, to strengthen the peace party and to discourage the nationalists. But thereafter, and until the days of Nehemiah, the governors of Judah were Persians. The house of David continued to receive recognition and honor from the people, but was definitely repressed by the government.

The foremost Jewish authority henceforth, and practically until the end of the Commonwealth, was the High Priest. Whatever autonomy the Persians granted the Jewish community was vested in him and in the Council of Elders. A lay associate was, indeed, recognized;[9] but his position was completely overshadowed by that of the Temple Chief.

The elevation of the High Priest involved a similar promotion for his whole tribe. Under the new order, the priests were possessed of a threefold advantage, which they did not hesitate to use for their own advancement, and which gave them an unprecedented control of the whole Commonwealth. They were the foremost patricians and landowners; they were the heads of the Temple; and they were the recognized agents of the Persian government. Of these their most important advantage was doubtless their possession of the land.

They had taken their farms in violation of the express commandment of Deut. 18.1, which forbids priests to own land. But, as we have seen, their teachers had discovered a way to escape this prohibition, by limiting it to times when all the twelve tribes were settled in Palestine. As a result, their holdings became so large that the Egyptian historian, Hecataeus of Abdera, in the third century B.C.E., was actually under the impression that Jewish law assigned to the priests larger portions of the country than to other classes![10]

It is true, of course, that the permission to hold land was originally given the priests out of dire necessity. When the first immigrants from Babylonia had returned under Cyrus, they were not in a position to maintain a leisure priest class. The priests had to work as farmers on the soil in order to obtain their livelihood. But having acquired their holdings when they had no ecclesiastical perquisites, the priests refused to yield them when prosperity made it unnecessary for them to enjoy secular income.

It was to the interest of the Persians, on the other hand, as well as to those of the priests to deal with these representatives of the people rather than with the masses. All alien rulers consider it a great convenience to have a section of the subject population loyal to them and acting as their agents. Finding the priests their willing tools, the Persians could not begrudge them the substantial crumbs which fell from their own lordly tables. It thus happened that by the middle of the fifth century B.C.E., the priests were an important part of the aristocracy, and by the beginning of the fourth century B.C.E. they were without any rival whatsoever.

No such good fortune attended the patrician clans of laymen who, having retained their family affiliations through half a century of exile, returned with the priests to the New Jerusalem. Like the priests and the other immigrants, they had to be content with whatever lands had remained unoccupied during their absence. Perforce most of them settled with their less aristocratic fellows in the hill country near Jerusalem, since the more fertile lands of the *shefelah* and the plains were occupied by settlers. The patricians, whose ancestors had lived in Jerusalem, were probably in worse case than the village gentry in this respect; for while the farmer might still be remembered in the district where he had been brought up and his lands returned to him, the scion of a noble family which had never visited their estates had much less chance to recover his ancestral property. Struggling to gain a foothold in the new land, the descendants of the ancient nobility had at length to yield the close clan relationships which they had so carefully guarded in Babylonia. The sentiments which attached to Palestinian memories while they were in distant exile disappeared in face of reality; the glamour of aristocratic memory faded; the hope of restoration to ancient position was gone. There was left nothing but the wretched present, with its daily drudgery and difficulty. The inertia of pride spent itself at length — as soon as threadbare gentility became more ignominious than confessed poverty. The great-grandchildren of princes lost their inhibiting consciousness of social superiority and thought and acted like their neighbors, who were descended from commoners. In the middle of the fifth century B.C.E., Ezra still found and identified a record of the returning clans;[11] but by the time of the Chronicler (about 300 B.C.E.) most of the families had already been forgotten, and he does not even mention them.

Only one family, the *Senaa*, preserved its identity and actually forced its way into the new aristocracy. It had come in far larger numbers than any other. As we have already seen, this fact, together with its name (meaning the "hated") has led historians to surmise that it was originally not a patrician family at all, but a proletarian group.[12] As usual in antiquity, the class name ultimately became recognized both by its own members and by others as a clan designation; and a fictitious eponym was invented as ancestor of the tribe. Being proletarians by tradition, the Senaa were more able than others to detach themselves from the Babylonian soil and also to make their way as pioneers in Palestine. With their large numbers they had an advantage over other families both in point of power and persistence. In the age of the Chronicler (I Chron. 9.7), they traced their descent from the tribe of Benjamin, which means that they had at length obtained for themselves land in the fertile valleys which had once belonged to that tribe. But they were destined to rise still higher, for it appears from a talmudic record that the family ultimately forced its way into the priesthood.[13]

This forcible entry of a lay family into the priesthood need not surprise us. Wealth and power are tempting baits to the near aristocrat. As it became evident that authority and aristocracy in the new community must be the prerogative of priesthood, many who would not associate themselves with the Temple service out of love for God chose it out of desire for Mammon. The foreign governors who ruled Judea were always ready to interfere in the Temple government for a price; Herod and the Romans sold the high-priesthood to the highest bidder, as did some of the Seleucids before them. And while we have no documentary evidence of similar activities by the Persians, there is good reason to believe that their governors were not blind to this important source of income. The Book of Maccabees tells us explicitly that Menelaus, a member of the tribe of Benjamin, was appointed High Priest in the days of Antiochus;[14] and we can be certain that similar influences led to the admission of the whole Senaa family. Of the family Hakoz,[15] we are definitely told that, rejected from the priesthood by the first settlers because they could not establish their priestly descent, they ultimately were admitted, not out of choice, doubtless, but under duress.[16]

What happened to whole families must have occurred more frequently to individuals. The Talmud frequently discusses the status of men claiming to be priests without being able to produce sufficient evidence for it. Many described themselves as priests whose fathers had in fact been mere slaves in priestly families.[17] Others had even less connection with the priesthood. Even in modern times,[18] when the priesthood involves only religious burdens and provides no privileges, there are cases on record of men who desired the distinction without any right to it. How much stronger must have been the urge to be accepted into priestly families in the early days before the questions of genealogy had become as fixed and settled as they were in the talmudic age or as they have become today. The Chronicler (I, 24.7 ff.) enumerates twenty-four priestly families in his day, of whom several are not mentioned in any of the earlier records preserved in Ezra and Nehemiah.

In fact, the clan of Jehoiarib, which is listed in our texts of Chronicles as the first of the priestly clans, hardly was known in the fifth century B.C.E.[19] Other radical transformations of the priestly organization become apparent as soon as we compare the different records with one another. They leave us with the definite impression that the priesthood during the Persian period, like any other symbol of nobility, was obtainable by those who could afford to pay for it. Thus two forces were at work to make the priesthood all powerful: the continual enrichment of the ecclesiastics through their varied sources of income, and the accretion to their number of the patricians originally outside of it.

The priesthood of the Second Commonwealth inevitably became as fully secularized as the aristocracy of the First Commonwealth whose place they had seized. Though few or none of them were lineal descendants of the ancient Judaite nobility, they fell heir, not only to their place in the community but also to their motives and ideals. Holding the same relative place in the body politic as the defenders of Queen Athaliah and the counselors of Ahaz and Manasseh, these priests necessarily held the same opinions. They did not indeed seek to introduce the foreign idol worship, for their whole existence and authority depended on the Temple and its prestige. But in every other way they were as assimilationist as any generation of nobles before them had been. We shall see what momentous consequences this betrayal by those who should have been the nation's spiritual leaders had for Judaism.

It was characteristic of the Second Commonwealth, with the violent social changes it effected, that the Levites, descended from the priests who worshiped at the country shrines, and for the most part inhabitants of Palestine during the exile, should have become the plebeian teachers.[20] Driven from their country shrines by propaganda emanating from Jerusalem, they had no choice but to accept the secondary place which the Law granted them in Jerusalem. A continual struggle ensued between them and the priests who, during the whole period of the Second Commonwealth, strove to identify their status with that of the former Temple servants, the *Nethinim* and the gate-keepers. Such, however, was the caste consciousness of the sanctuary officialdom that even in the last decade of the Second Commonwealth, the singers, who were apparently descended from the true Levites, refused to admit the gate-keepers to equality with them; and a hundred years after the destruction of the Temple, the defenders of the Levites still quarreled furiously with the protagonists of the priesthood when the latter tried to identify certain Temple ministers with "the servants of the priests."[21]

The oppression which the Levites of all groups suffered at the hands of the priests inevitably drove them to make common cause with the other oppressed groups, the plebeians of the city and the small farmers of the highlands. Yet, descended from the countryside, and sheltered from the outside world by the walls of the Temple, these Levites could not fully share the impatience of the other plebeian teachers with the arrogance and oppression of wealth. Some Levites, moreover, were sufficiently strong economically to avoid the Temple and the degraded service which it offered them. Their village shrines, like the Temple itself, had become possessed of landed estates; and when the surrounding peasantry ceased to come to them for worship, the Levites simply appropriated the ecclesiastical property to themselves. On no other basis can we explain, for instance, the possession of vast estates by the family from which the great Levitical rabbi, R. Eliezer ben Hyrcanus, of the first century, was descended.[22] Certainly the revenues which the priests grudgingly permitted these inferior ecclesiastics to collect could not have enabled them to acquire large landed properties and to attain the status of squires and near-nobility.

The social divisions of the Second Commonwealth were thus closely related to those of the earlier Kingdom. The country still had its ecclesiastical aristocracy, its lay patricianship, its country gentry, and its urban plebeians. Yet the philosophies of some of these groups had undergone basic changes during the exile. The most important of these was the willingness of the plebeians to admit proselytes into their ranks. They befriended and welcomed the Calebites, the Jerahmeelites, and the Kenites who presented themselves for conversion to Judaism. The number of these people who became Judaites was indeed considerable.[23] They were deeply impressed with the miracle of the Restoration and the tales which the Judaites told of its prediction by their prophets. Disappointing as the new Commonwealth was to those who had dreamed of it, who had carried about visions of gates of emerald and houses of sapphire, it was an overwhelming revelation of divine power to the semi-nomadic wanderers who lived a far more precarious life than the poorest of the settled population. The provincials, on the other hand, and the pietist priests, who shared their views, opposed proselytization of the heathen. To them Judaism was a status into which one was born, not a faith which one might join. The struggle between these views continued for centuries. Long after the plebeians had obtained formal sanction for their interpretation of the Law, the patricians, the provincials, and the priests still resisted its application to individual cases. As late as the first century B.C.E., Shammai, the leader of the provincial faction of the Pharisees, was as famous for his rejection of proselytes as his plebeian opponent, Hillel, was for accepting them.[24] Indeed, a hundred years after their time, Eliezer ben Hyrcanus and Eleazar of Modin, both Shammaites, opposed the plebeian, Joshua ben Hananya, on the same issue.[25] The aversion of the pietist Aaronids to proselytization led to their refusal to marry women converts. They found a basis for this rule in a peculiar interpretation of Scripture; and it has remained their practice until our own time.[26]

The principles of social justice and human equality within the Jewish Commonwealth were the cornerstones of plebeian doctrine. The demands of the group had become clearly formulated in Babylonia, and from them they would not recede. The ideal kingdom would certainly, they were convinced, bring about the readjustment of rights which the Second Commonwealth had failed to effect. The country gentry and their prophets, knowing as little about social conflict and oppression as their forbears in the First Commonwealth, continued to ignore the inequalities and injustices of the present. So far as the relations within the Jewish people were concerned, the present was ideal.

Aside from the controversies about the ritual, the division between the rural and urban teachers of the early Second Commonwealth bears an uncanny correspondence to that between the leaders who are arising today to guide the destinies of the new Homeland in modern Palestine. No one conversant with affairs in Palestine today can be blind to the diverse social forces which find expression in the continual conflict between the labor groups, which draw their following from the artisans and traders of Tel Aviv and the plebeian peasantry of the Emek Jezreel, and the parties, whose strength lies in the farmers of older "private property" colonies and among the new arrivals in the large cities of Tel Aviv and Jerusalem. Both in their concern for political rights and wider boundaries for Palestine, and in their social views, the bourgeois following shows itself heir to the ancient gentry of the Second Commonwealth; while the plebeian spirit once more appears in the modern labor groups. The situation is slightly confused by the influences which the conditions in their home countries have on the immigrants, but in general the observer may notice how with the resurrection of the ancient Commonwealth there has been brought into renewed life the traditional struggle of the urban plebeian with his humanist ideals against the complacent farmer, with his dreams of political power and imperialism.

The one essential difference between partisan conflict today and 2400 years ago is the relatively unimportant rôle which modern parties assign to religious forms. Whether this is to be a permanent characteristic or merely a passing phase of the Third Commonwealth, it would indeed be rash to predict. Historical parallels usually do not fit in all details. But the believer in religion, and particularly in Judaism, may be pardoned if he discerns in the darkness of a foggy twilight the signs of a new dawn, heralding another sun, rather than the passing of an old order into blackest night. This hope is based, in part, on the conviction that the ancients were not all as God-fearing, and that the moderns are not as godless, as many would lead us to believe. The situations which developed in the ancient Jewish community might easily be duplicated today, and the ideals which today find expression in purely humanistic terms may once more be given their natural, fundamental and permanent expression in their relation to God.

By applying the touchstone of the threefold issue between the country and plebeian teacher we can readily assign the prophetic messages which have been preserved out of the fifth and fourth centuries B.C.E. to their respective parties. Almost all the material is anonymous, but so distinctive is the style of the period as well as of each party that identification both of person and of party is almost certain.

A. The Rural Prophets of the Persian Period

Three prophets represent the views of provincial pietists of the period: Joel, Obadiah, and Deutero-Zechariah (the author of Zechariah 9–11).

The most rural of all both in his imagery and in his sympathies is Joel. His very first verses indicate a sympathy for drinkers of wine, which would seem ironical in the mouth of a prophet, but is proven by later reference to be meant in earnest. The prophet, like provincial Judaites of all generations, sees nothing shameful or wicked in drinking wine; and he considers the destruction of the grapes a national calamity. It is not an accident that the occasion of his prophecy is a plague of locusts which, as frequently happens, followed a severe drought. The prophet sees the fig tree languishing, the pomegranate tree, palm tree and the apple tree withering, "for joy is withered from the sons of men" (1.12). The vividness of the portrayal and the passion of utterance demonstrate the personal relation of Joel to the catastrophe; he feels it deeply because it touches him nearly.

Like the other provincial pietists, Joel is a confirmed adherent of ritual. His cure for the trouble is fasting and sackcloth. The contempt of Deutero-Isaiah for fasting without righteousness, Zechariah's derisive question, "When ye fasted and mourned in the fifth and in the seventh month, even these seventy years, did ye at all fast unto Me, even unto Me?" (7.4), ring in our ears when we hear Joel's call to repentance:

"Gird yourselves, and lament, ye priests,
Wail, ye ministers of the altar;
Come, lie all night in sackcloth, ...
For the meal-offering and the drink-offering is withholden
From the house of your God.
Sanctify ye a fast,
Call a solemn assembly,
Gather the elders
And all the inhabitants of the land
Unto the house of the Lord your God,
And cry unto the Lord" (1.13 ff.).

"Blow the horn in Zion,
Sanctify a fast, call a solemn assembly;
Gather the people,
Sanctify the congregation,
Assemble the elders,
Gather the children,
And those that suck the breasts;

Let the bridegroom go forth from his chamber,
And the bride out of her pavilion.
Let the priests, the ministers of the Lord,
Weep between the porch of the altar,
And let them say: 'Spare Thy people, O Lord' " (2.15 ff.).

We can see that among his people's distresses the prophet, like so many ritualists, is concerned primarily with the necessary interruption of the meal-offering and the drink-offering. Like the priests of later days who continued, in the midst of a starving city, to offer the daily sacrifice on the altar, this earlier prophet bemoans among the tragic woes of his day the interference with the usual temple customs. He reaches a climax in his portrayal of suffering when he finally says:

"Lament like a virgin girdled with sackcloth
For the husband of her youth.
The meal-offering and the drink-offering is cut off
From the house of the Lord;
The priests mourn,
Even the Lord's ministers" (1.8 f.).

"Yet even now, saith the Lord,
Turn ye unto Me with all your heart,
And with fasting, and with weeping, and with lamentation;
And rend your heart, and not your garments,
And turn unto the Lord your God;
For He is gracious and compassionate,
Long-suffering, and abundant in mercy,
And repenteth Him of the evil.
Who knoweth whether He will not turn and repent,

And leave a blessing behind Him,
Even a meal-offering and a drink-offering
Unto the Lord your God?" (2.12 ff.)

The touching phrase, "rend your heart, and not your garments," is a call for sincere repentance but not for the improvement of social conditions. Rural prophet as Joel is, he has met the urban traders and those coming under their influence; he can recognize hypocrisy, which under a cloak of mourning, carries a heart untouched. But he does not recognize, as did Deutero-Isaiah and the author of Jonah, that even heartfelt remorse is inadequate unless the repentant searches his conscience for wrongs to man, as well as for sin against God.

Finally the locust disappeared and the land was saved. The prophet thereupon used the opportunity to foretell the future glory and restoration of the people. The God who saved them from destruction through the natural force of the locusts will come to their aid again against the nations who oppress them. But the picture of the ideal future which this prophet paints is full of wars and battles and bloody conflicts and final vengeance on all Israel's enemies.

Almost shamelessly, one is tempted to say, Joel parodies his urban predecessor's call to peace:

"Proclaim ye this among the nations,
Prepare war;
Stir up the mighty men;
Let all the men of war draw near,
Let them come up.
Beat your plowshares into swords,
And your pruning-hooks into spears;
Let the weak say: 'I am strong' " (4.9).

"Put ye in the sickle,
For the harvest is ripe;
Come, tread ye,
For the winepress is full, the vats overflow;
For their wickedness is great" (4.13).

The vengeance which the prophet foresees for the other nations is reminiscent of that prophesied by the Palestinian seers during the exile:

"Egypt shall be a desolation,
And Edom shall be a desolate wilderness,
For the violence against the children of Judah,
Because they have shed innocent blood in their land" (4.19).

> "And also what are ye to Me, O Tyre, and Zidon, and the regions of Philistia? Will ye render retribution on My behalf? And if ye render retribution on My behalf, swiftly, speedily will I return your retribution upon your own head. Forasmuch as ye have taken My silver and My gold, and have carried into your temples My goodly treasures; the children also of Judah and the children of Jerusalem have ye sold unto the sons of the Jevanim [the Greeks], that ye might remove them far from their border; behold I will stir them up out of the place whither ye have sold them, and will return your retribution upon your own head; and I will sell your sons and your daughters into the hand of the children of Judah, and they shall sell them to the men of Sheba, to a nation far off; for the Lord hath spoken" (4.4 ff.).

Note how in this passage, as throughout his book, this rural prophet continually mentions Judah before Jerusalem.

When finally he has completed his picture of the terrible judgment in the valley of Jehoshaphat, he returns to his original theme, the pleasure of the wine drinkers for whom he has such natural sympathy:

"And it shall come to pass on that day,
That the mountains shall drop down sweet wine,
And the hills shall flow with milk,
And all the brooks of Judah shall flow with waters;
And a fountain shall come forth from the house of the Lord,
And shall water the valley of Shittim" (4.18).

Like the other contemporary prophecies, that of Joel has suffered much at the hands of the interpolator, this time a citizen of Jerusalem, who felt his city neglected and the principles of its prophets violated. The additions are so foreign to the text that they have been marked off on purely literary grounds by the critical commentators.[27] Thus when the prophet is describing the impending return of prosperity and enumerates the agricultural products of the country one by one, the interpolator, suddenly remembering the permanent water difficulties in Jerusalem, has to mention the blessing which will come to her in plentiful rains:[28]

"Be not afraid, ye beasts of the field;
For the pastures of the wilderness do spring,
For the tree beareth its fruit,
The fig tree and the vine do yield their strength.
Be glad then, ye children of Zion, and rejoice
In the Lord your God;
For He giveth you the former rain in just measure,
And He causeth to come down for you the rain,
The former rain and the latter rain, at the first.

And the floors shall be full of corn,
And the vats shall overflow with wine and oil,
And I will restore to you the years that the locust hath eaten,
The canker-worm, and the caterpillar, and the palmer-worm,
My great army which I sent among you" (2.22 ff.).

More serious was the insertion of what is now chapter 3, foretelling the universalization of prophecy among all classes. The message is so completely opposed to the whole trend of Joel's thought, which in the following chapter regards the future world as belonging to native Israel alone, that we should be entitled on that ground alone to reject it as an addition. The loose connective which the interpolator supplied to attach it to what precedes is confirmatory proof of the spuriousness of the passage. Having described the immediate bliss of returning crops, the prophet concludes:

"And ye shall know that I am in the midst of Israel,
And that I am the Lord your God, and there is none else;
And My people shall never be ashamed" (2.27).

Thereafter followed originally the prophecy of doom for the nations, beginning with the words:

"For, behold in those days and in that time,
When I shall bring back the captivity of Judah and Jerusalem,
I will gather all nations,
And will bring them down into the valley of Jehoshaphat" (4.1 f.).

But the urban writer cannot accept the decision of the Valley of Jehoshaphat as a complete and adequate picture of the New World, and so he prefaces it with a chapter of his own:

> "And it shall come to pass afterward,
> That I will pour out My spirit upon all flesh;[29]
> And your sons and your daughters shall prophesy,
> Your old men shall dream dreams,
> Your young men shall see visions;
> And also upon the servants and upon the handmaids
> In those days will I pour out My spirit . . . .
> And it shall come to pass, that whosoever shall call on the name of the Lord shall be delivered;
> For in mount Zion and in Jerusalem there shall be those that escape,
> As the Lord hath said,
> And among the remnant those whom the Lord shall call" (3.1 ff.).

Even without the allusion to Jerusalem and Mount Zion we could be sure that the prophet who promised the gift of prophecy to slaves and handmaids was not among those who owned them. Slaveholders are hardly likely to foresee their servants as inspired guides for themselves and the world. But the prophet is not satisfied with turning slaves into seers; he must provide in the world's spiritual center an escape for "whosoever shall call on the name of the Lord." The doom predicted over the nations in the next chapter by Joel could apply, this interpolator felt, only to those who refused to join the Lord after they had received due warning. Without such warning how could the nations be expected to return? But, the prophet assures us, there will be sufficient signs and portents to convert those who will wish to be converted:

"And I will show wonders in the heavens and in the earth,
Blood, and fire, and pillars of smoke.
The sun shall be turned into darkness,
And the moon into blood,
Before the great and terrible day of the Lord shall come" (3.3 f.).

Closely allied with the prophecy of the original Joel is that preserved in the tiny Book of Obadiah, the smallest in the Hebrew Scriptures. Various critics have maintained that its twenty-one verses are derived from different writers,[30] and have pointed out, indeed, that its first nine verses are practically identical with a passage in the present book of Jeremiah.[31] Without entering into the very complicated question of the priority of authorship of these verses, it is sufficient to point out here that in its present form the Book dates from the end of the fourth century — the period under discussion, and that its author was a rural prophet, of the stamp of Joel. The message of the prophet is the doom of Edom. He reproaches that tiny nation with self-sufficiency, but above all with injustice to Judah, when she sided with Babylonia in 597 and 586 B.C.E. But having settled the fate of Edom, the prophet proceeds to other nations:

"For the day of the Lord is near upon all the nations;
As thou hast done, it shall be done unto thee;
Thy dealing shall return upon thine own head.
For as ye have drunk upon My holy mountain,
So shall all nations drink continually,

> Yea, they shall drink, and swallow down,
> And shall be as though they had not been . . . .
> And the house of Jacob shall possess their possessions"
> (v. 15 f.).

He expects the territory of Judah to be greatly extended. It will include the Negeb, which Nebuchadnezzar had transferred to Edom in reward for its assistance against Judah,[32] and which remained in foreign hands until the Hasmonean days; the land of the Philistines on the coast, Samaria on the north, and Gilead in Transjordan. "And the captivity of this host of the children of Israel, that are among the Canaanites, even unto Zarephath, And the captivity of Jerusalem, that is in Sepharad, Shall possess the cities of the South" (v. 20). In other words, the ambitions of the patricians of Saul's day will at last be fulfilled;[33] the whole coastal valley will be in the hands of the Israelites. The conquered country will be divided in a manner peculiarly satisfying to patrician landowners. The inhabitants of the *shefelah*, already possessed of Judah's richest soil, will inherit in addition the even more fertile country of the Philistines and Mount Ephraim. The Judaites of the Negeb will obtain the land of Edom, but in turn they will have to surrender their country to the restored exiles who were at the moment in Phoenicia!

The resurrection of the patrician ideal from the obscurity in which it had been hidden for seven centuries indicates better than anything else can the constancy of the group conflict in Palestine, and the class associations of the prophet.

The comparatively modest boundaries which the prophet predicts for Palestine — neglecting the whole of Damascus[34] —

indicates perhaps a hope for the speedy realization of his program. We may plausibly conjecture that he was addressing the people on the eve of Alexander's invasion of the land; and that his hopes were pinned on a reallotment of the Palestinian soil through the favor of this new western conqueror. He expected his country to side with Alexander and to be given in reward the same rights over Edom that Edom had been given over it when the tables were turned.

The Second Zechariah was far more hopeful. It is generally assumed that he, too, spoke at the advent of Alexander,[35] but he expected the Greek conqueror to give Judea the whole of David's empire. It may seem incredible to us that anyone capable of the style and thought of the Second Zechariah should seriously harbor such fancies. But then, for us, Alexander's conquest is merely an episode in history, important in the development of human civilization, but like all other human achievements transient both in itself and its effects. To the contemporary, particularly the Jewish contemporary, it must have seemed much more. For centuries the prophets had promised a "day of the Lord" when the whole plan of the world would be rearranged, when the Persian Empire would fall, its satrapies be set free, its subject peoples made independent. The Jews had been led to expect that Israel as a nation or Judaism as a faith would attain a new world-status in that day. The visions had been dreamed and spoken, they had been repeated and written down, without anyone taking them sufficiently to heart to alter his daily business on their account. People believed in the prophets, indeed, as Marxians believe in the inevitable revolution, without permitting the conviction to interfere with their occupation or business, their marriage or the foundation of their families.

In the midst of this day-dreaming and prophesying there appeared suddenly from the West a young conqueror before whom the mighty Empire lay as helpless as a paralyzed giant. The suddenness of his victory must itself have overwhelmed the Judean peasant, who lacked our knowledge of the preceding events in the light of which a Greek invasion of Asia was inevitable. Was not this the Day of the Lord, for which the prophets had been waiting since the time of Isaiah? Those of us who were adults in the fateful years of 1914–1918, remember well how vulnerable even twentieth-century sophistication is to Messianism. Man's pathetic yearning for an ideal world is such that whenever powerful forces sweep the earth his expectations run high. Indeed sometimes men become sufficiently aroused to realize their ideals, at least in part. No wonder, then, that the Judaite prophets, listening to the approach of the Macedonian phalanxes, thought the country's opportunity had come. Humble Obadiah was content with an enlarged Judea; the more ambitious Second Zechariah was prepared to demand not only the whole of Palestine, but Syria and Phoenicia as well. He expected Judah to become the ally of Alexander: "And I will stir up thy sons, O Zion, with thy sons, O Javan (Greece), and will make thee as the sword of a mighty man" (9.13).[36]

Like Joel, this prophet enjoys the prospect of battle,

"For the Lord of hosts hath remembered His flock the
house of Judah,
And maketh them as His majestic horse in battle.
Out of them shall come forth the corner-stone,
Out of them the stake,
Out of them the battle bow,

Out of them every master together.
And they shall be as mighty men,
Treading down in the mire of the streets in the battle,
And they shall fight, because the Lord is with them;
And the riders on horses shall be confounded" (10.3 ff.).

It would seem almost as though the prophet were endeavoring to arouse the war spirit of his comrades to enlist in Alexander's armies. He reminds them that they, too, can fight and that assistance will come especially to them from God:

"And the Lord shall be seen over them,
And His arrow shall go forth as the lightning,
And the Lord God will blow the horn,
And will go with the whirlwinds of the south" (9.14).

Both Obadiah and the Second Zechariah realize that in order to be effective in battle Judah cannot stand alone, but must seek union with the Samaritans. It is this practical suggestion, especially significant since it comes from the otherwise chauvinistic gentry, that lends the color of near-certainty to the theory that both prophecies were uttered about the time of Alexander. Obadiah tells us that in the conflict with Edom, "the house of Jacob shall be a fire, And the house of Joseph a flame, And the house of Esau for stubble, And they shall kindle in them, and devour them; And there shall not be any remaining of the house of Esau" (v. 18). In the same spirit, the Second Zechariah says:

"For I bend Judah for Me,
I will fill the bow with Ephraim" (9.13).
"And I will strengthen the house of Judah,
And I will save the house of Joseph,

> And I will bring them back, for I have compassion
> upon them,
> And they shall be as though I had not cast them off;
> For I am the Lord their God, and I will hear them.
> And they of Ephraim shall be like a mighty man,
> And their heart shall rejoice as through wine" (10.6 f.).

But, as we know from Josephus,[37] the plan for union between the two communities was frustrated. The rivalries and the enmities which had been fostered for centuries could not be wiped out even in the sight of a golden opportunity to enhance the glory of a united kingdom. The Samaritans complained to Alexander of the Judaites; the Judaites of the Samaritans. The prophet describes bitterly and with anguish his disappointment at this turn of events. He had undertaken to offer the nation political advice only because its official leaders were selfish and greedy. This thought he expresses in the following symbols: "Thus said the Lord my God: 'Feed the flock of slaughter; whose buyers slay them, and hold themselves not guilty; and they that sell them say: Blessed be the Lord, for I am rich; and their own shepherds pity them not' " (11.4–5). The prophet then continues, "So I fed the flock of slaughter, verily the poor of the flock. And I took unto me two staves; the one I called Graciousness, and the other I called Binders; and I fed the flock" (11.7). The prophet later explains that the staff called Graciousness had relation to the foreign nations, and the staff called Binders was to unite Judah and Ephraim. He means then that he urged two policies: Graciousness toward the Greek, and Union between Judah and Israel. "And I cut off the three shepherds in one month; 'for My soul became impatient of them, and their soul also loathed Me.' Then said I: 'I will not feed you; that which dieth, let it die; and that which is to be cut off, let it be cut off; and let them that are left eat every one the flesh of another.' And I took my staff Graciousness, and cut it asunder, 'that I might break My covenant which I had made with all the peoples'" (11.8 f.). In other words, he found it impossible to bring sufficient strength from Judah to weigh heavily in the counsels and plans of Alexander. "And it was broken in that day; and the poor of the flock that gave heed unto me knew of a truth that it was the word of the Lord" (11.11).

But the disappointing denouement was still in the future, when the prophet delivered his first calls to the people. Then he foresaw Judah rising like a newly revived people and living an ideal, bucolic life on its ancestral soil: Judah once more united to Ephraim. Being from the country, like Joel in an earlier day he does not hesitate to give wine a prominent place in his picture of the Good. The slight suggestion of drinking in the passage already cited does not stand alone. A little further the prophet remarks:

> "The Lord of hosts will defend them;
> And they shall devour, and shall tread down sling-stones;
> And they shall drink, and make a noise, as through wine;
> And they shall be filled like the basins, like the corners of the altar . . . ." (9.15).

As in Joel, also in Second Zechariah, a whole passage has been added which thoroughly contradicts both the ideals and the thoughts set forth in the main prophecy. When the prophet warmly asserts that the Philistine cities shall be seized by Judah and be made to observe Jewish ritual law:[38]

> "And I will take away his blood out of his mouth,
> And his detestable things from between his teeth" (9.7),

the interpolator continues:

> "And he shall be as a chief in Judah,
> And Ekron as a Jebusite."

The Jebusite was the tribe which, originally dwelling in Jerusalem, had become integrated into Judah. The interpolator thus declares that the conquered peoples shall have all the privileges of native Judaites. Not satisfied with this frustration of the original prophet's intention, the interpolator proceeds:

> "And I will encamp about My house against the army,
> That none may pass through or return;
> And no oppressor shall pass through them any more;
> For now have I seen with Mine eyes.
> Rejoice greatly, O daughter of Zion,
> Shout, O daughter of Jerusalem;
> Behold, thy king cometh unto thee,
> He is triumphant, and victorious,
> Lowly, and riding upon an ass,
> Even upon a colt the foal of an ass.
> And I will cut off the chariot from Ephraim,
> And the horse from Jerusalem,
> And the battle bow shall be cut off,
> And he shall speak peace unto the nations;
> And his dominion shall be from sea unto sea,
> And from the River to the ends of the earth" (9.8 ff.).

The king of the ideal Judah will not be a warrior at all; he will have nothing to do with "his majestic horse in the battle" (10.3); in fact, God will destroy horses out of Jerusalem and chariots out of Ephraim. For the new king is to be a poor plebeian, riding upon an ass as he makes his way into the Jerusalem, which God will prepare for him. He will govern the nations, not by force but by peaceful persuasion; and his gentle rule, as representative of God on earth, will include the whole world. Nothing could be further from the mind of the original writer than this transfer of the culmination of Judah's bliss to the end of days, or its realization through the peaceful miracle of divine intervention. It is incredible that this pacifist passage should have been written by the warlike author of the remainder of the booklet. It belongs to a totally different school of thought, the urban plebeians as opposed to the rural gentry.

Perhaps it was this interpolator who composed the magnificent chapters in which the Book of Deutero-Zechariah ends (Zech. 12–14). In any event they reflect his spirit. Belonging, however, to the final stratum of prophecy, they must be considered separately in connection with the conditions of the age to which they belong.

B. The Urban Prophets

The Second Zechariah's prediction of the conversion of the Philistines to the Jewish dietary laws indicates a deep change in the religious mentality of the provincials. No more than two hundred years earlier Deutero-Isaiah had condemned the provincials for their adherence to the ancient syncretistic worship, for eating the flesh of the swine, the detestable thing, and the mouse. Now the villagers had become so converted to the ritual law that they adhered to it more firmly than the urbanites themselves. The forces which brought this conversion will be discussed more suitably in the next chapter. Here we have merely to record the interesting fact that the rural preacher, about 330 B.C.E., considers renunciation of blood and other forbidden food a fundamental principle of Judaism, so important that it is the first commandment imposed on the new proselyte.

Four centuries later, the earliest Christian apostles, gathered for their famous council in Jerusalem, announced the same conviction. Drawn from the provinces, they too held the belief that the dietary ritual is an essential of religion.[39]

The acceptance of the ritual law among the provincials freed the later urban prophets from the task which had burdened their predecessors so heavily, that of denouncing village worship and custom. The newer group of urban prophets, in the fourth century, were free to devote all their eloquence to the social problems of human equality and the relations of the Jews to their neighbors. But the prophets preferred to present their ideas on these subjects through constructive suggestions rather than through destructive criticism. They had learned from Ezekiel the art of projecting their pictures of an ideal state on a distant eschatological screen. This device combined in itself the threefold merits of sound pedagogy, effective rhetoric, and personal prudence. The proletarian follower of the prophet was entranced by his picture of an ideal future and became a zealous missionary for its realization. And even the opponent of prophecy came to see in it no longer choleric scolding, but wise and philosophical statesmanship. At the same time the powerful rulers of the land could not consider the prophet the dangerous enemy he might have seemed had he confined his words merely to depicting their detailed transgressions. Thus wisdom and art combined to transform the prophet into the apocalyptist.

The most important of the apocalypses which have been preserved in prophecy is that contained in Isaiah 24–27. This booklet, it will be recalled, is the earliest work in Scripture definitely to assert the belief in resurrection (26.19). It likewise adopts the plebeian doctrine of semi-human angels (24.21). Indeed, it appears to hold, with the later Book of Daniel and the Book of Jubilees, that each nation has its particular angel in heaven. Hence the prophet believes that when God will visit the nations on earth, He will also visit "the angels of heaven in heaven." The prophet's belief in human equality appears in his first verses:

> "Behold the Lord maketh the earth empty and maketh
> it waste,
> And turneth it upside down, and scattereth abroad the
> inhabitants thereof.
> And it shall be, as with the people, so with the priest;
> As with the servant, so with his master;
> As with the maid, so with her mistress;
> As with the buyer, so with the seller:
> As with the lender, so with the borrower;
> As with the creditor, so with the debtor" (24.1f.).

Like the other plebeian prophets, he is not concerned with the power which will come to the people of Israel after the world cataclysm, but with the recognition which will be accorded their faith.

"Then the moon shall be confounded, and the sun ashamed;
For the Lord of hosts will reign in mount Zion, and in Jerusalem,
And before His elders shall be Glory" (24.23).

"And He will destroy in this mountain
The face of the covering that is cast over all peoples,
And the veil that is spread over all nations.
He will swallow up death forever;
And the Lord God will wipe away tears from off all faces;
And the reproach of His people will He take away from off all the earth" (25.7).

"For thus shall it be in the midst of the earth, among the peoples,
As at the beating of an olive tree,
As at the gleanings when the vintage is done.
Those [who remain] yonder lift up their voice, they sing for joy;
For the majesty of the Lord they shout from the sea:
'Therefore glorify ye the Lord in the regions of light,
Even the name of the Lord, the God of Israel, in the isles of the sea' " (24.13 ff.).

"Thou hast gotten Thee honour with the nations, O Lord,
Yea, exceeding great honour with the nations;
Thou art honoured unto the farthest ends of the earth" (26.15).

A far more graphic and touching appeal for tenderness toward other nations was made by the writer of the Book of Jonah, a work unsurpassed in the whole of Scripture for its breadth of sympathy and its love of mankind. The incidental episode of the whale and the absurd efforts of theologians to rationalize it, have, as usual, covered the ethical gem contained in this book with hills of casuistic dust. The well-known story describes the effort of Jonah, the son of Amitai, to escape the duties of prophecy. The word of the Lord comes to him urging him to predict the destruction of Nineveh. Unwilling to take the message to the doomed city, he flees from God. But a storm arises, Jonah is thrown into the sea, swallowed by a whale, thrown back on land, and compelled to proceed to Nineveh. Coming there, he perforce delivers the terrible message: "Yet forty days, and Nineveh shall be overthrown." "And the people of Nineveh," continues the story, "believed God; and they proclaimed a fast, and put on sackcloth, from the greatest of them even to the least of them. And the tidings reached the king of Nineveh, and he arose from his throne, and laid his robe from him, and covered him with sackcloth, and sat in ashes. And he caused it to be proclaimed and published through Nineveh by the decree of the king and his nobles, saying: 'Let neither man nor beast, herd nor flock, taste any thing; let them not feed, nor drink water; but let them be covered with sackcloth, both man and beast, and let them cry mightily unto God; yea, let them turn everyone from his evil way, and from the violence which is in his hands. Who knoweth whether God will not turn and repent, and turn away from His fierce anger, that we perish not?' And God saw their works, that they turned from their evil way; and God repented of the evil, which He said He would do unto them; and He did it not" (3.5–10).

The talmudic sages remind us that what moved God, according to the story, was not the ashes and sackcloth, but their repentance and their "turning from their evil way."[40] *En passant*, the writer thus takes the opportunity to align himself with Deutero-Isaiah, and against Joel, in holding the ritual of fasting worthless unless it is accompanied by ethical improvement.

But whereas God was stirred to pity the people of Nineveh, Jonah, represented as a typical rural prophet, was exceedingly displeased and he was angry. He was so disturbed by the turn of events that he begged for death. Thereupon God prepared a gourd — a quickly growing plant with wide-spreading leaves and branches — under which Jonah sat while he waited for the fulfillment of his prophecy. A day later the gourd was struck by a worm and it withered. "And it came to pass, when the sun arose, that God prepared a vehement east wind; and the sun beat on the head of Jonah, that he fainted, and requested for himself that he might die, and said: 'It is better for me to die than to live.' . . . . And the Lord said: 'Thou hast had pity on the gourd, for which thou hast not laboured, neither madest it grow, which came up in a night, and perished in a night; and should not I have pity on Nineveh, that great city, wherein are more than sixscore thousand persons that cannot discern between their right hand and their left hand, and also much cattle?' " (4.8–11).

On that note the book ends. Even at this distance in time and space, the significance of the treatise cannot be lost. The writer caricatures the contemporary prophets, particularly of the provincial variety, who were more anxious to see their predictions fulfilled than their admonitions obeyed. Their haunting fear was that the sinful would repent and escape punishment. He seizes on the figure of Jonah the son of Amitai for the subject of his tale, because the Book of Kings tells us that this prophet was a villager, hailing from Gath hepher, and was a nationalist who foretold victories for Israel. Had the author invented a name, the point of the story would have been lost. For he does not maintain that the prophets are false or insincere; he simply holds them unworthy bearers of the divine message, who themselves need a lesson in human kindness and generosity.

Even more simply and effectively does the writer of Ruth bring to his readers the message of international sympathy. This author has in mind, particularly, the opposition among the chauvinistic gentry to the admission of proselytes into Judaism and marriage with them. With astounding boldness he traces the royal dynasty of David back to a Moabite woman who had chosen to come into the Jewish fold. A genteel family of Beth-lehem had fled from Judah to Moab during a famine; there the two sons had married native women. When the father and the sons die, the three widows, the mother-in-law and the two daughters-in-law, undertake the journey back to Judah. On the road, Naomi, true to the prejudices of her class, tries to dissuade her daughters-in-law from coming with her. The elder turns back, but the younger, Ruth, declares: "Entreat me not to leave thee, and to return from following after thee; for whither thou goest, I will go; and where thou lodgest, I will lodge; thy people shall be my people, and thy God my God; where thou diest, will I die, and there will I be buried; the Lord do so to me, and more also, if aught but death part thee and me" (1.16). This is sufficient avowal of Jewish faith for the author. Arriving in Beth-lehem, Ruth is fortunately brought to the field of Boaz, a near relative of her husband, who ultimately marries her, becoming through this union the ancestor of Jesse, the father of David.

The moral of the tale was the more important because in the Law Moabites are expressly excluded from the Jewish community.[41] Apparently the writer, with the later rabbis, holds that this limitation applies only to Moabite men and does not include the women.[42]

The universalist message is further emphasized by a group of Wisdom writers who, in their zeal for the recognition of the heathen, made them the heroes of their books and attributed their own ideas to them. The chief product of this movement was the book of Job, who is described as an Arab chieftain, while his friends, Eliphaz, Bildad and Zophar, are made to come from different parts of the wilderness. With extraordinary sensitivity for words and language the author substitutes unusual Arabic-sounding expressions for the more common ones in use in Jerusalem's vernacular. He is equally adept in his selection of desert pictures for his imagery. Yet despite all his care, the Jerusalem scene protrudes itself through the Arab façade, and behind the tents of Kedar we see the curtains of Solomon. A similar attempt to attribute a book of Jewish wisdom to a Gentile was made by the author of the treatise ascribed to Agur son of Yakeh.[43] We have already seen how in both these works the plebeian teachings of human equality are emphasized, but obviously neither of these works could emphasize the plebeian teachings of the Jewish faith. That was left to the Hasidean proverbs and psalms which, equally humanitarian, are more definitely pietistic, combining in themselves a denial of any claim to special rights for the Jewish people with an avowal of the unrivaled superiority of the faith they had given the world.

C. TRITO-ZECHARIAH: THE INEVITABLE CONFLICT

One prophet, looking over the Jewish Commonwealth, saw the significance of all the partisan divisions and predicted that they would end in armed conflict. Living about the year 200 B.C.E., the prophet to whom we owe the last three chapters of Zechariah portrays to us the bitterness between city and country, and hints at the wide separation between the lower and upper classes in the city itself. The prophet is himself a plebeian from Jerusalem; like his fellow-plebeian prophets, he asserts the existence of angels (12.8; 14.5), and looks forward to the time when Jerusalem will be the religious center of the world (14.16 ff.). Without giving the Jewish people any special status, God will reign in Mount Zion and all nations will come there once a year, during the Feast of Tabernacles, to offer their fealty to Him. Those who desist will lose their rain; and if Egypt, which needs no rain, should fail to come, it will suffer by the plague which is in store for the disobedient.

The prophet realizes what great convulsions must take place before Egypt and the other peoples are ready to accept the spiritual suzerainty of Jerusalem. All the nations, including Judah, will ultimately mass, the prophet imagines, in a world war against Jerusalem (12.2–3; 14.2). The victory will at first be with the investing Judaites, "that the glory of the house of David and the glory of the inhabitants of Jerusalem be not magnified above Judah" (12.7; 14.3). Half of the city shall go forth into exile, but "the residue of the people shall not be cut off from the city" (14.2). It seems reasonable to suppose that this "residue," who are to remain in the city, are the plebeians overlooked by the conqueror as they were despised by their rulers.

In any event, the victory of Jerusalem's enemies will be followed by their swift discomfiture:

> "Then shall the Lord go forth,
> And fight against those nations,
> As when He fighteth in the day of battle....
> And the Lord, my God, shall come,
> And all the holy ones with Thee....
> And the Lord shall be King over all the earth;
> In that day shall the Lord be One, and His name one" (14.3 ff.).

The prophet expects the new order to be accompanied by a vast increase in the world's light. This had already been predicted by the First Isaiah (30.26), and this latter prophet is merely repeating his prophecy when he foresees a time when "there shall be one day which shall be known as the Lord's; not day and not night; But it shall come to pass, that at the evening time there shall be light" (14.7).[44] The ideal further confirms our surmise of the urban origin of the prophet, for additional light would hardly be a blessing to the farmers, whose crops need the shelter of darkness as much as the rays of the sun. Uninterrupted sunshine would not only burn the crops but, in the sub-tropical climate of Judea's lowland, would be unbearable. The idea, introduced perhaps from Babylonia and Persia, suited much better the needs of the metropolitan city which, in antiquity as today, seeks to prolong the waking hours so far as possible. We can readily understand how the urban prophet would dream of the new world as perpetually sunlit.

Finally, having in mind Jerusalem's primary need for water, the prophet, like Ezekiel before him, promises as part of the new dispensation, a permanent river flowing through the capital. "And it shall come to pass in that day, that living waters shall go out from Jerusalem: Half of them toward the eastern (Dead) sea, and half of them toward the western (Mediterannean) sea; In summer and in the winter it shall be" (14.8). Such was the general plebeian faith in the coming of such a stream that the Chronicler projects its existence also back into the golden age of the past, maintaining that it was stopped from flowing only in the days of Hezekiah to prevent Sennacherib's army from finding much water (II Chron. 32.4). Geological observation and archaeological excavation have alike shown that there could not have been such a stream; nor can any arise short of a miracle or a violent change in the configuration of the land. But the need for water was keen and it necessarily gave wings to both hope and imagination.

But more important than either the lengthened day or the living waters is the new peace which will descend upon the country. Since the abolition of the local shrines and their syncretistic services, the most important difference between city and country had concerned the laws of Levitical purity which we have already discussed. The trader and artisan of Jerusalem, like the priest, observed these laws, which were, however, neglected and ignored at a distance from the holy precincts. The prophet expects this wound in the body politic to be healed, when all the people of the land will observe the Levitical regulations. So diligent will all the people, both urban and provincial, be in the observance of the laws of purity, that the vessel used in anyone's home will be fit for the offerings in the Temple. The various gradations still recalled in the Mishna between the property of the provincial and the observant citizen, between the observant citizen and the priest, and between the ordinary priest and those engaged in offering sacrifice,[45] will disappear. The ordinary peasant in his farm will be as scrupulous in the ideal future as the functioning priest at the altar is today. Hence it will come about that "every pot in Jerusalem and in Judah shall be holy unto the Lord of hosts; and all they that sacrifice shall come and take of them, and seethe therein." The very bells on the horses shall be holy unto the Lord (14.20 ff.);[46] and the pots used for the priestly food in the House of the Lord shall be like the basins before the altar. With this improvement in the people's morale, the prophet foresees the removal of an institution which must have been irksome to every sensitive-minded Jew, the merchant who sat in the Temple to provide clean vessels and fit animals for sacrifice. Since only few possessed Levitically pure utensils, these business men in the Temple were still a necessity, but in the future there "shall be no more a trafficker in the house of the Lord of hosts" (14.21).

XX. THE STRUGGLE AGAINST ASSIMILATION:

Judaism Becomes the Synagogue.

The articulate philosophies which were born out of the social struggle during the Persian period have been analyzed in the preceding chapter. They were brilliant tongues of fire which, issuing out of the hearth of the Jewish Commonwealth, have offered light and heat to all succeeding generations. The sociologist and the historian, however, must, like chemists, pass beyond the beautiful vision into the very heart of the contending elements and seek to understand the mass actions and reactions which underlay the spectacle; for the membership of the various groups were neither prophets nor philosophers, but simple men and women who followed their natural instincts and impulses. Their ideas rarely attained logical formulation; they were vague and inchoate. Like all reality it was a hopeless medley of movements and counter-movements, incapable of exact definition. Not all the plebeians were idealist eschatologists, any more than every member of Washington's continental army was a Thomas Jefferson, or every Independent of 1640 an Oliver Cromwell. The farmers of the day were indeed sincere patriots, like their prophetic spokesmen, but they had other interests and weaknesses which the single-minded prophet no longer shared. The nobility were in general the opportunists we have described, but they were more than that: they were husbands, wives, masters, courtiers and, most of them, priests. Inevitably the pious teachings of their craft affected the hearts and minds of some of them deeply, and a critical hour found many of them greater men than their usual actions would indicate.

The most important single problem with which the men of the new Commonwealth had to deal concerned the neighboring peoples, primarily the Samaritans. This people consisted largely of descendants of the ancient ten tribes, who had torn away from the Davidic dynasty, after the death of Solomon. In 722 B.C.E., Assyria had destroyed their capital, Samaria, and carried off a considerable portion of the population into exile. The land left vacant was colonized by equally unfortunate captives from Syria and Babylonia. It is an error, however, to suppose with some historians that the Samaritans of the sixth century were wholly, or even primarily, of non-Israelitish stock. Biblical writers in the fifth and fourth century B.C.E. still speak of the people as Ephraim,[1] and recognize their kinship to the Jews. But aside from this evidence, it is a priori impossible to assume that any king would uproot a whole people, leaving none of its original inhabitants behind. In transferring peoples from place to place the Assyrian conquerors were not simply exerting themselves to be cruel; they were, like Nebuchadnezzar in later times, pursuing a prudent imperialistic policy. They knew that their interests lay in division among their subjects, and they found it to their advantage to destroy the racial uniformity and supposed purity of the conquered peoples. R. Joshua ben Hananya, living in the first century of the Common Era, realized this much better than many modern writers. Discussing the status of the Ammonites in his day, he denied that there was any longer a pure Ammonite, in the sense which the Pentateuch used the term. "Sennacherib long ago came up on these lands and confused the whole world," the wise rabbi remarked.[2] He does not say that the Assyrian transplanted the various nations, but that he "confused" or "mixed" them. He had created in every land a hybrid people, partly indigenous and partly alien.

But if the new immigrants were fewer than the original inhabitants, they were culturally more advanced; for, the same policy which led the Assyrians to deprive Israel of her nobility, the wealthier gentry, the priesthood, and the metropolitan traders, was followed also in other countries. It was the upper classes which were transplanted from land to land, in order to separate the potential leaders of revolutions from the necessary following.

The superior mentality of the newcomers gave them a disproportionate influence over the culture of the land, which thus became more truly composite than the racial strain. Just as the modern civilization of England inherits its legends from the Britons, its religion from the Romans, its basic language from the Saxons, and its more elegant forms of speech, its forms of government, and its architectural monuments from the Normans, so the Samaritans derived their religion from the Israelites, their language from the Arameans, and their favorite name (the Cutheans) from their principal contingent. The use of this name for the whole people indicates the glory which descent from the noble, patrician deportees shed on those who could claim it. No one who could identify himself with the aristocratic captives from Cutha, would admit descent from the humble fellahs, whom the Assyrian had contemptuously permitted to remain on their ancestral soil. In one of their quarrels with the Judaites (about the end of the sixth century B.C.E.) a group of Samaritans boasted that they were brought into the land by Assur-bani-pal, King of

Assyria.[3] The pride with which the fact is mentioned indicates the common state of mind. The social élite of the community were not the native Israelites, but the immigrant Babylonians and Arameans, and ultimately the whole nation came to claim kinship with them.

Yet the belief that each land had its own god or gods prevented the newcomers from foisting their ancestral faith on the rest of the people. The Book of Kings tells us that the immigrants were brought into the Israelitish faith by the fear of lions, which infested the country in the aftermath of the destructive wars. The people, believing that the lions were sent by the local deities who were not being worshiped in the accustomed way, asked the Assyrian Emperor for a native priest who might teach them the "manners of the gods of the land."[4] In accordance with this request, the shrine at Beth-el was reëstablished, and a priest from among the Israelitish exiles sent back to superintend its ritual. The truth of this story cannot be doubted, and the events which it describes were certainly a factor in the conversion of the newcomers to the ancient religion of the land. But a solitary priest in Beth-el, and a single untoward incident, can hardly account for the victory of one faith over another. To understand fully the conversion of the heathen immigrants to the service of God, we must look for deeper, sociological forces. These become clear when we realize that Shechem, the most ancient capital of the northern tribes, rather than Beth-el, the shrine which the Assyrian emperor had sanctioned, became the central sanctuary of the Samaritans. Obviously, the conversion of the people had less to do with the episode of the lions than with the persistent spread of current folklore. In the particular district of Beth-el, a certain group may have been won to the Israelitish God through the fear of wild beasts; the Samaritans as a whole became worshipers of God as "true proselytes."[5]

The common worship of God was the only tie between Judah and the new, hybrid people to the north. The bonds of language and supposed kinship had snapped; for the Samaritans no longer spoke Hebrew, or regarded themselves as descended from the patriarchs. Even in respect to worship there was a fundamental difference between Judean and Samaritan, for the Judean regarded Jerusalem as the main sanctuary of God, while the Samaritan preferred the shrines of his northern country.

Yet the feeling that both nations belonged to YHWH, had a powerful influence on their relations to each other. It kept alive the sense of close relationship and the memory of the transient unity of the days of Saul, David and Solomon. It was the basis of a lasting conviction that Palestine was a single unit — the land of God. From the day when Israel lost its independence, in 722 B.C.E., it was a cardinal point in Judah's national policy to regain the Samaritans for God. This was one of the major purposes of Hezekiah's confederacy with Babylonia and Egypt and his ill-fated rebellion against Assyria. To symbolize his sense of unity with the North, Hezekiah named his heir Manasseh, after one of the northern tribes — the only time in recorded biblical history when an individual was called after a patriarchal eponym.

But so long as Assyria was in the heyday of its strength, nothing could be done to reunite the kingdoms. No sooner, however, had she shown signs of fatal weakness than Josiah made open approaches to the northern tribes. Jeremiah speaks of Ephraim with touching tenderness and hopes that the reunion of the kingdoms is now at hand.[6] There may have been some hope that the compromise offered in Deuteronomy, making Jerusalem the only place of sacrifice but declaring Shechem, and particularly the neighboring Mount Gerizim, a place of "blessing," would be accepted.[7] But nothing permanent developed out of these efforts, for the Samaritans were in no mood to seek subjection to a Judaite King as an escape from bondage to Assyria.

When, in 586 B.C.E., Judah, too, lost its independence, its exiles in Babylonia continued nevertheless to dream of a reunited kingdom. They had been promised a restoration of their own commonwealth, and that implied for them as an essential factor the recovery of the ten tribes. Ezekiel again and again iterates his promise that in the new Commonwealth Judah and Ephraim will join hands (cf. Ezek. 16.59 ff.; 35.10; 37.15 ff.; 48.1 ff.). But he apparently realizes that there may be difficulty in securing the loyalty of the northern tribes to a capital and a sanctuary situated so far south as Jerusalem. He therefore carefully avoids the assertion that Jerusalem will again be the seat of the government and of worship. To the suggestion that a temple be constructed in Babylonia, he answers that only "in My holy mountain, in the mountain of the height of Israel, saith the Lord God, there shall all the house of Israel, all of them, serve Me in the land" (20.40). The carefully worded reply does not make Jerusalem the sole place of worship. With intentional vagueness and ambiguity it leaves the exact spot of the future sanctuary doubtful; it insists only that the Temple be located in Palestine. This is further clarified when Ezekiel undertakes to apportion the land of the future Commonwealth among the tribes. Palestine is to be divided into twelve equal horizontal strips, each possessed by one of the tribes. In the middle of all will lie Reuben and Judah. South of Judah, between it and the still more southerly territory of Benjamin, will be an extra-tribal area, for the Temple, the priests, the Levites, and the "prince." Having seven tribes north of it and only five to the south, the sanctuary will not be in the exact center of the country, but much nearer the middle than Jerusalem. Ezekiel takes no pains to tell us which city he would choose for the Temple; that is a matter for the future. "The name of the city," he says, "from that day shall be, The Lord is there" (48.35).

Seen in the light of Ezekiel's plan, the arrangement which the Pentateuch records for the tribes in the wilderness is especially significant. The Ark, the Tent of Meeting, the priests and the Levites were in the middle of the Israelite encampment. The tribes were massed in groups of three on the four sides of this sacred area. The plan, and the care with which it is outlined, are mystifying until we realize that it is intended to be a model for the Ideal Commonwealth of Palestine. The Law regards the Holy Land as a square rather than a rectangle, and scatters the tribes in all parts instead of giving each a horizontal strip of territory stretching from the east to the west. The sanctuary is to be in the exact center of the land, and each of the tribes is to be in the same relative position to it. The whole scheme is fully in accord with the ideal of the Torah, to make of Israel a holy community, deriving its meaning and its inspiration from the sanctuary, to which each member will resort at frequent intervals. Jerusalem is, of course, unmentioned. Not a single law deals with the rights of the capital, not a single institution is associated with it. The Law recognizes only two gradations of holiness; that of the

Temple, and that of the camp of Israel, the whole Jewish settlement.

These benign plans were all doomed to frustration. The policy of "divide and rule" prevented the two provinces of Israel and Judah from becoming a single domain after 586 B.C.E. So distinct were they from one another that although by the end of the sixth century Aramaic had become the vernacular in the North, Hebrew was still the main language in Judah. The Persian Emperor who permitted the Judaites to return to their land was careful to give them no rights in Samaritan territory. The country assigned to the returning exiles was carefully delimited; it consisted of a tiny strip of land round about Jerusalem.

Yet even such a small measure of deliverance aroused the astonishment of the Palestinian world. The Samaritans, seeing the exiles come back from Babylonia, were deeply impressed by the divine miracle which had been worked for them. Jeremiah's great prediction had been fulfilled at last; God had reversed the actions of Nebuchadnezzar. To the inhabitant of Palestine who knew nothing of imperialistic intrigues and rivalries it was clear that God had raised Cyrus to power for the sole purpose of restoring His Temple and His people. The insistence of Deutero-Isaiah on this vindication of prophecy shows how powerful an argument it was. It was altogether natural, therefore, that the Samaritans should approach the returning exiles with the offer to join them in building the Temple to God. The chronicler, to whom we owe our information about the period, tells the story in these words: "Now when the adversaries of Judah and Benjamin heard that the children of the captivity were building a temple unto the Lord, the God of Israel; then they drew near to Zerubbabel, and to the heads of the fathers' houses, and said unto them: 'Let us build with you; for we seek your God, as ye do; and we do sacrifice unto Him since the days of Esarhaddon, king of Assyria, who brought us hither.' But Zerubbabel and Jeshua, and the rest of the heads of the fathers' houses of Israel, said unto them: 'Ye have nothing to do with us to build a house unto our God; for we ourselves together will build unto the Lord, the God of Israel, as king Cyrus, the king of Persia hath commanded us' " (Ezra 4.1ff.). The tale is usually rejected as spurious because it seems incredible either that the Samaritans would offer help to the returning band of poor Judaites or that the Judaites, offered help from any quarter, would dare to reject it. Some historians have even suggested that we have in the chronicler's record an inversion of the original fact; that in actuality the Judaites had begged for the Samaritans' help and were denied it. But the supposed difficulties arise, like so many others in the interpretation of the Bible, from reading into Scripture more than the text says. The chronicler does not say that the Samaritans offered to join the Judaites in the construction of a temple *at Jerusalem*. Such an offer certainly could not have been rejected. After all, why should not the Samaritans have been taken into the Congregation of God? Their worship was indeed rural and partly Canaanite, but so was that of the Judaites who had remained in the land, and with whom the returning exiles gladly joined hands. The admixture of foreign races among the Samaritans could not have worried the returning exiles. They knew well that the Judaite stock itself was not without Canaanite and other alien blood, and they had brought with themselves from Babylonia no less than 800 souls whose Judean descent was open to question. But the difficulty lay in the implied demand that the new temple be built *in Shechem.* If the Samaritans were to join the returning exiles, they would naturally expect the temple to be built in their territory. To this the exiles properly replied that they intended to carry out the command of Cyrus authorizing them to build a temple in Jerusalem, and no other place would enter into consideration. By this decision all hope of reuniting the northern Israelites with the Judaites disappeared; hereafter they were doomed to be separate, rival, and at times even hostile peoples.[8]

But the rejection of the Samaritans did not destroy them as a living reality. They were the nearest relatives of the Judaites, and never during the next two centuries did they cease to be in close relations with the southern kingdom.[9] To many Judaites this friendship seemed more dangerous than hostility. For the Judaite community, containing so many pioneers, and therefore suffering like all pioneer communities from a scarcity of women, was threatened with spiritual disaster through intermarriage with the surrounding nations. As usual, the tendency toward assimilation was strongest among the poor and the most affluent, and was weakest among the middle classes. This was especially true in the first days of the Second Commonwealth, when the poor were driven to exogamy by necessity, and the wealthy drawn to it by ambition. The lowest classes simply could not afford to compete for the Judaite women against their wealthier brethren, and had to find mates among the more numerous neighboring peoples. At the same time, the richest nobility sought to enhance their position by marriage alliance with native patrician families.[10] Opposed to both these tendencies, among the bulk of the peasantry who formed the middle class, was their intense chauvinistic nationalism. Sufficiently wealthy to bid successfully for Judaite women, they had no need nor desire for aliens. But while both patricians and plebeians sought wives among the foreign nations, there was this difference to be observed between the two classes. The plebeian had to seek his wife among people still poorer than himself, the nomadic tribes living in the grazing lands of southern Judah, the Calebites, the Jerahmeelites, and the Kenites. These tribes provided Judah with many male converts and now supplied the poorest, also, with proselyte wives. Adhering to the traditions which the immigrants brought from Babylonia, the plebeian considered the man or woman who accepted Judaism as fully a member of the faith as a native Israelite. That a pagan woman who became married to a Judaite would continue to follow her childhood worship never occurred to the plebeian, whose family was far too poor to maintain two separate religious forms. Hence while intermarriage among the plebeians was frequent, it did not weaken the Judaite community, but strengthened it. The writer of the Book of Ruth defends the marriage of Judaites to Moabite women, and according to the Chronicler several Judaite families originated in mixed marriages. He even admits that the builder of the Solomonic Temple was a half-Jew (II Chron. 2.13; cf. I Chron. 4.18). To be sure, this statement is simply repeated from Kings; but as the Chronicler was not above suppressing facts which did not agree with his notion of right, his special mention of this indicates his approval of it.

Far more serious, however, was the intermarriage which the patricians, particularly the high-priestly families, practiced. Too proud to marry below their caste, they had to turn for wives to the neighboring aristocracies, and in the first place chose, naturally, Samaritans. Within eighty years after 538 B.C.E., when the Babylonian exiles had begun to return, this evil became so widespread that Ezra, coming to Palestine from Babylonia, in 458 B.C.E., was amazed and horrified.[11] In Babylonia, marriage with the unproselytized heathen was held to be nothing less than treason to the Jewish community; to see it practiced by the children of the High Priests was intolerable. In a passionate scene, which he vividly describes, Ezra appealed to the transgressors who had married heathen wives to divorce them. Some of these women were mothers of children, but Ezra knew no compromise. The mixed families had to be purified.

Ezra's ruthlessness did not escape prophetic censure. Living at the time was Malachi, a plebeian prophet, the burden of whose message was a demand for priestly purification. It is from him that we know how corrupt the priesthood had already become. "If then I be a father," he says in God's name, "Where is My honour? And if I be a master, Where is My fear? Saith the Lord of hosts unto you, O priests, that despise My name" (1.6). The priests, accustomed to their own rich fare, had been heard to mutter, "The table of the Lord is contemptible" (1.7). They were capable of offering as sacrifice blind and lame and sick beasts, such as were no longer fit for work or human food (1.8). "Present it now unto thy governor," says the prophet, "Will he be pleased with thee? Or will he accept thy person?" "Oh, that there were even one among you that would shut the doors," he finally cries, "that ye might not kindle fire on Mine altar in vain! I have no pleasure in you, saith the Lord of hosts" (1.8 ff.). "The priest's lips should keep knowledge, and they should seek the law at his mouth; for he is the messenger of the Lord of hosts" (2.7).

The prophet could not then be accused of undue friendship for the secularized priesthood. But he felt that Ezra had gone too far. "Have we not all one father? Hath not one God created us?" the plebeian in him asks. "Why do we deal treacherously every man against his brother, profaning the covenant of our fathers?" (2.10). He admits that Judah "hath dealt treacherously, and an abomination is committed in Israel and in Jerusalem; for Judah hath profaned the holiness of the Lord which He loveth, and hath married the daughter of a strange god" (ibid. 2.11). To Malachi it seemed that a curse against committing the sin in the future would have been sufficient. "May the Lord cut off to the man that doeth this, him that calleth and him that answereth out of the tents of Jacob, and him that offereth an offering unto the Lord of hosts." He denies, however, any justification for breaking up families (2.12):

> "And this further ye do:
> Ye cover the altar of the Lord with tears,
> With weeping, and with sighing,
> Insomuch that He regardeth not the offering any more,
> Neither receiveth it with good will at your hand.
> Yet ye say, 'Wherefore?'
> Because the Lord hath been witness
> Between thee and the wife of thy youth,
> Against whom thou hast dealt treacherously,
> Though she is thy companion,
> And the wife of thy covenant.
> For I hate putting away,
> Saith the Lord, the God of Israel" (2.13 ff.).

Opposed by both the prophet and the leading priests, Ezra, who had been so successful in his initial efforts to bring the Judaite community within the Law, yielded, and apparently returned to Babylonia.[12] But the bitterness he had aroused between the Judaites and the Samaritans remained. Some of the Judaites had actually divorced their Samaritan wives; and unquestionably difficulties had arisen in every home based on mixed marriages. The proud northern people could not forget that its southern neighbors had even considered offering it the gross insult suggested by Ezra. When, a decade after Ezra's departure, plans were brought forward to rebuild the walls of Jerusalem, the Samaritans opposed them with unprecedented vigor. They wrote to the Persian capital, accusing the Judaites of being a rebellious people, and asserted that "if this city is builded, and the walls finished, they will not pay tribute, impost, or toll, and so thou wilt endamage the revenue of the kings." Indeed, they concluded, "by this means thou shalt have no portion beyond the River [Euphrates]" (Ezra 4.13, 16).

The strong protest bore fruit; and Artaxerxes, who was then King, forbade the building of the walls. The Samaritans, to whom the King's reply was addressed, lost no time in approaching the city with sufficient force to prevent the workers from continuing their labor.

The Judaites, refusing to resign themselves to defeat, appealed for assistance to the Imperial representatives in their country, who in turn sent a long memorandum on the subject to the central government.[13] It is doubtful whether they would have achieved success, however, had not Nehemiah, a Jew, happened to be cup-bearer to the King at the time. The representatives of the Judaite community reached Nehemiah, who obtained permission from Artaxerxes to visit Jerusalem and to rebuild its walls.

The struggle between Nehemiah and the Samaritans, his ousting of Tobiah the Ammonite from the Temple, his insistence on the suppression of trade on the Sabbath day, his attempt to prevent the spread of mixed marriages, all reflect the attitude natural to a pious exilic Jew. As such, Nehemiah must have expected the whole-hearted coöperation of the prophets. It was with amazement, therefore, that he found them resisting some of his favorite projects. While they applauded his opposition to the creditors, who had enslaved their Hebrew brethren, they rejected those of his policies which tended to arouse rancor among the neighboring populations; for the prophets were pacifists and afraid, above all, of quarrels and battles.[14] This attitude Nehemiah could not appreciate. He respected the religious principles of the urban prophets, and even their social doctrines. But, having been a high officer of the Empire, he could not understand what seemed to him their pusillanimity. When he was building a wall about Jerusalem, carrying out the main purpose of his coming, they actually discouraged him. Loyal to the teachings of Zechariah, who had prophesied that God would be "a wall of fire"[15] about the city, they felt it sacrilege to put up a wall of stone. Perhaps, as Nehemiah suggests, some of his pacifist opponents were insincere hirelings of the Samaritans and merely assumed the mantle of prophecy to conceal their nefarious dealings. But there can be no doubt that the prophetic party, as such, without suggestion from elsewhere, opposed Nehemiah's warlike and provocative maneuvers. They were consistent pacifists and could see nothing to be gained from bloody battles, from the protection of walls, and from irritation of their neighbors. Nehemiah, with all good will toward the plebeians, could not enter into this frame of mind. It seemed to him that Jerusalem ought to be at least a walled city, protected from marauders and raiders; it was shameful that the city of God should be humbled to the earth. When the prophets opposed him, he held them little better than traitors (Neh. 6.12 ff.).

The failure of Ezra and Nehemiah to impose their will on the Judaites reflects the fact that the Palestinian community had reached its maturity. The problems of Judaites in their native land were different from those of the Jews in the Dispersion, and it was no longer possible for the great leaders of the Dispersion, no matter how high their imperial position might be, to dominate Palestinian thought. The infant community which, in the last decades of the sixth century B.C.E., had had to rely on the spiritual strength which came to it from Babylonia, was soon to become the maker and dispenser, rather than the recipient, of Jewish thought.

Under the leadership of these native teachers, the relations between Judaite and Samaritan which the activities of Ezra and Nehemiah had done so much to strain, became friendly once more. The prophets of the fourth century B.C.E. could even conceive of both peoples presenting a united front to their conquerors and enemies. Certain it is that the Samaritans accepted the authority of the Pentateuch and became firm observers of its tenets.

Mixed marriages between the Samaritans and the Judaites continued; and there were even marriages between Judaites and pagans. In spite of the opposition of the priesthood generally to marriage even with proselytes, the highest members of the tribe continued to marry heathen women, almost until the end of the Second Commonwealth. As late as the first century B.C.E., the writer of the Testaments of the Twelve Patriarchs has still to take them to task, because "the daughters of the Gentiles do ye take to wife, purifying them with an illegal purification."[16] But with the passage of time and the end of the disproportion between men and women in the New Commonwealth, the demand for patrician ladies of foreign nations lessened. The Jewish aristocracy grew in power, in numbers, and in influence; and the self-consciousness of the people increased. With the arrival of the Greeks, the Jewish nobility turned to them rather than to the neighboring Samaritans and Ammonites and Tyrians for cultural guidance. Indeed, the Judaites began to feel contempt for their foreign cultural standards.

While Ezra failed in his effort to prevent mixed marriages, he achieved immortal fame through the movement he initiated for the abolition of the village shrines. These local temples and altars had been the scenes of mixed, sometimes degraded and vile forms of worship, and had been the objects of protest from prophets since the days of Isaiah. They had been forbidden in Deuteronomy, suppressed by Hezekiah and Josiah, and yet they continued. The fulminations of Deutero-Isaiah against them were probably as ineffective as those of Jeremiah a century before him. In an age when religion combined in itself all the arts and the sciences, when its priests and prophets were not only theologians but also physicians, economists, political leaders, rhetoricians, dramatists, musicians and teachers, it was impossible to confine its functions into a single city. The provincial could not undertake a trip to the capital whenever he sought God; he expected God to come to him.[17]

Ezra seems to have realized that the village worship would never be overcome either by force or by denunciation; it was necessary to find a moral substitute for the provincial sacrifice. Fortunately, there was one readily available in the synagogue. The origin of this great institution, the mother of the church and the mosque, as well as of the modern synagogue, is lost in the mists which fill the dawn of Jewish life. The oldest synagogue structures which archaeologists have recovered date from the third century of the Common Era. Presumably that is because the older synagogues were destroyed to the foundations during the persecutions of Hadrian (132–135 C.E.); for synagogue buildings are mentioned in a Maccabean psalm (Ps. 74.8), which tells how they were burnt by the soldiers of Antiochus Epiphanes (ca. 168 B.C.E.). But the synagogue as an institution is much older than the edifices in which it ultimately found its home. We can trace its origin back to the Babylonian commonwealth, and to the prayer gatherings which the prophets instituted at a much earlier time.[18] What may be the earliest reference to such prayer meetings occurs in the story of the Shunamite woman who had befriended Elisha and who went to him when her child suddenly died. Her husband, who did not yet know of the child's death, said to her: "Wherefore wilt thou go to him to-day? it is neither new moon nor sabbath" (II Kings 4.23). The implication is clear that on Sabbaths and new moons, visits to the prophet were customary. We may be certain that these were not in the nature of social calls but rather of religious pilgrimages. The people came to the prophet to hear words of religious exhortation and to have him intercede for them with God.

We cannot doubt that many of the prophecies which have been preserved for us in the biblical books were delivered at just such meetings. The usual picture of the prophet as the street orator haranguing a motley mob which listened to him because they had nothing else to do, hardly suits the recorded facts. The prophets took their messages seriously and spoke them where they would be most effective. Amos sought out the great festive gathering in Beth-el for his denunciation of Israel; Jeremiah frequently resorted to large assemblies in the Temple. Isaiah walked about Jerusalem for three years without clothes or shoes to impress the people with the message he wished to bring them, that the Egyptians on whom they relied for help would thus be carried off in captivity by the King of Assyria. We know how effectively the early Christians used the synagogues as places to deliver their messages, for after all it is only in an orderly gathering of men attuned to religion that educational efforts for religion are most effective.

If Isaiah, Jeremiah, and their colleagues wanted to influence public opinion they had, like all other orators, to seek out audiences which were sympathetic or were ready to listen seriously. The prophets would have wasted their energies and accomplished nothing had they, except on the most extraordinary occasions, addressed their words to the hostile. The direct purpose of their prophecies was, after all, not to convince the recalcitrant or the intransigent, whose interests they opposed and whose methods they denounced. They might indeed from time to time effect an extraordinary conversion, but that would be the miraculous exception, not the daily occurrence. What they tried to do in their prophecies was to strengthen the faith of those who already believed in them and to supply them with arguments and ideas which they might use in their daily intercourse with others who might be subjects for conversion. That, after all, is the task and the aim of the moral and political philosopher in any generation and at any time. But to reach these sympathetically minded followers, formal gatherings were essential, and for these apparently the Sabbath and new moon meetings at the prophet's place of abode were used.

The suggestion has already been put forward that regular prayer meetings under the guidance of the prophets were instituted during the persecutions of Manasseh. This surmise is considerably strengthened by the emphasis on prayer which we find among the prophetic writers immediately after that King's reign. The repeated warnings to Jeremiah not to pray on behalf of the people, and the petitions for them which he incorporates into his book, indicate apparently that he took part in prophetic prayer meetings even during the reign of Josiah (cf. Jer. 14.11; 15.19; etc.). More important, perhaps, than this evidence is the fact that in the prayer attributed to King Solomon at the dedication of the Temple there is not a word said of the use of the building for the sacrificial system. The beautiful prayer, fully worthy of the great occasion in retrospective celebration of which it was written, contains 31 verses (I Kings 8.23–53), in the course of which there might certainly have occurred some reference to the main purpose of the structure, the offering of sacrifices to God. Instead, the author who, according to the consensus of opinion among biblical scholars, lived about the year 600 B.C.E., speaks of the various people who might come and pray in the sanctuary or, living in a distant land, turn toward it. The conception of the Temple as a house of prayer, could hardly occur to one who had never seen any such institution, who lived in a community *all* of whose shrines were for sheep and bullocks.

When the Judaites were carried off to Babylonia, the institution of the synagogue was thus prepared for their use. It has long been noticed that some of Ezekiel's prophecies were uttered at synagogue gatherings. In fact, independently of his evidence we should have to suppose that the Judaites in Babylonia either built themselves a temple (which we know they did not do) or established some kind of synagogue assembly for prayer worship. For it is altogether inconceivable that a deeply religious people should for half a century live without any form of worship.

Linguistic evidence likewise points to the pre-exilic development of the synagogue. The lecture house which in later days was separated from the synagogue, but was originally identical with it, is called regularly *Bet Ha-Midrash*. The term is used for the first time in extant literature by Ben Sira[19] (ca. 200 B.C.E.) and is usually translated "House of Exposition." But the root, *darash*, means not to "explain" but rather to "inquire," or to "seek out," and the expression must therefore have meant originally "house of inquiry." The verb is the technical term used of consultation with the prophet (Cf. Gen. 25.22). The *Bet Ha-Midrash* thus appears to have been in origin the Oracle, where people came to seek God, to find out His will, or to invoke His aid.

While the followers of the prophets who were among the leaders of the Babylonian exile maintained the synagogue in their new land, it apparently was forgotten in Palestine during the exile. The few surviving members of the prophetic persuasion huddled about the governorate at Mizpah and maintained a "house of prayer" there; but elsewhere throughout the land the people worshiped, as we have seen, at village shrines.

Ezra understood that in any struggle between the Temple of Jerusalem and the local high places, the provincials would inevitably side with their village institution. It was obviously necessary to offer them some place of worship which would wean them away from the shrines at which they and their ancestors had sacrificed for centuries. The synagogue offered itself once more, as it had in the Babylonian exile, as a savior of Judaism. On Sabbaths and festivals, in addition to the sacrifices offered in Jerusalem, the people were urged to assemble in their villages to hear the reading of the Torah, the exhortation of a prophet, the prayer of a pietist, and the blessing of a priest. Where no prophet of original powers was available, some one read from the recorded prophecies of ancient times. Frequently the priest, as the most learned in the congregation, performed the whole of the service, but it was not essential that he do so.

The Temple officials might have looked askance at the synagogue as a rival institution were they not threatened with graver dangers from the village shrine. Realizing the need for some provincial houses of worship, they decided to accept the synagogue and make it a means for propaganda on behalf of the central sanctuary.[20] The portions of the Torah and the Prophets which were read in the synagogue asserted the superior holiness of Jerusalem and its Temple. Whenever priests were available they were made the primary functionaries of the prayer meetings; above all, they alone could offer the priestly benediction which concluded the service.

Given the choice of synagogue with its prayer service and the traditional shrine with its bloody sacrifices, the villagers could not long hesitate. On the side of the synagogue were ranged the authority of the Torah, the prophets, and the priests of Jerusalem; in the balance against all these were mere inertia and the local keeper of the country altar. In addition to its great spiritual advantages over the local altar, the synagogue was the simpler institution. It required no sacrifice, it asked for no lambs, it demanded no meal offerings.

There can be little wonder that the synagogue won an easy victory over its adversary, the village altar, a victory all the more memorable because for centuries the Temple had failed to achieve it whether by force or persuasion. When the Persian period ended and the contest between Judaism and Hellenism began, the synagogue had become a fundamental institution in the land. Its services were no longer limited to Sabbath and festivals; such was its hold on the peasant that whenever he came into town to buy his supplies he would make his way also into the synagogue for instruction and prayer. The services which were originally held only on Sabbaths and festivals were extended to the market days, Monday and Thursday. Ultimately, a shortened service, in which the reading of the Torah was omitted, but which included only prayer and the priestly blessing, was established in most communities every day.

The synagogue, established as a foil to the village high places, never became a serious rival of the Temple. It never claimed for itself any prestige beyond that of a "small sanctuary,"[21] far inferior and secondary to that of the holy place in Jerusalem. Yet its existence enabled large groups, such as the Essenes and the Sect of Damascus,[22] to shun the Temple altogether because they disliked the priests who ministered there. But more than that, it offered a forum to the Pharisees to spread their doctrine among the farming community. Not in essence a Pharisaic or a plebeian institution, for it had outgrown by far its prophetic beginnings, it yet served as a channel through which the artisan or merchant or Levitical scholar in Jerusalem could reach the common people. If Jewish life survived the destruction of the Temple, that was because the synagogue had been prepared to take over the whole burden and carry it onward for generations to come.

XXI. HELLENISTS, HASIDEANS, AND PHARISEES.

While the Synagogue was attaining its full strength and development, Alexander's easy victory over Persia brought Judaism face to face with the most formidable adversary it had yet encountered. The simple religion and theology of the nomadic tribes who had settled in Palestine between the fourteenth and the twelfth centuries B.C.E. had shown themselves stronger than the opposing Canaanite worship and superstition. The prophets had been able to persuade the people that Egypt's technical skill was no warrant for the truth of her polytheistic faith or the value of incestuous institutions. The quick destruction which overtook Phoenicia, Aram, Assyria and Babylonia had dissipated whatever belief in their respective gods their momentary success might have evoked. But none of these peoples could compare with the new challenger to the traditions of Israel. Hellas, long first in arts, in science, in philosophy, in literature, and in commerce, at last took her place also at the head of world government, and added to all her other laurels those of physical conquest. No nation had yet appeared with half the virtues of this western people, which had produced a Homer, an Aeschylus, a Phidias, a Pericles, a Plato, Athenian wisdom and Spartan courage, and now was to reach the climax of its powers in the demigod himself, Alexander.

The passion which the aristocracy of Jerusalem had felt for foreign cultures in preceding ages was lost in their new love. They threw themselves into Hellenism with the zeal and energy of neophytes. Their own laws, customs and traditions were forgotten in this last infatuation. They built a gymnasium, like those of the Greeks, in Jerusalem and shocked the Semitic sense of propriety by taking their exercise and playing Hellenic games quite naked. Ashamed, in their own country and amidst their own people, of the circumcision which all Palestinians (except the Philistines) had practiced from time immemorial, some of them underwent the excruciating pain of an operation — twenty centuries before the discovery of anesthesia — to obliterate this sign of the Covenant. They endeavored to speak the language of their new rulers and called themselves by the sweet-sounding Greek names. Hundreds of children were called Alexander, of course; what more could a mother wish for her child than that he might prove a pale reflection of the world conqueror? But there were others named after mythological heroes; Jason, Menelaus and the like. It is symptomatic of the form which Asiatic Hellenism took on that the assimilation centered altogether on the development of the sound body, without any regard to the sound mind.

But this impulse toward assimilation in externals was not universal. The plebeians, more convinced than ever that their Torah was from God, could listen with complaisance to the tales of Greek glory. Pacifists to the core, they had no mind to emulate the physically powerful. On the other hand, their well trained intellects were able to assay at their true value the drops of Greek learning which trickled into Asia from Athens. They continued to believe, as had their fathers for generations, that true knowledge could be found only in the Law and the Prophets, and that the beginning of Wisdom was the fear of the Lord (Prov. 9.10). The only desire which contact with current Hellenism evoked in them was to prove the superiority of their own traditions.

Yet there were two lessons which they learned from the Greeks: the strength inherent in organization and the value of formulated doctrines. They derived the first from the Macedonians, the second from the Athenians.

Like the rest of the Orient the Jewish plebeians had been deeply impressed by the manner in which the well-massed Macedonian phalanxes had torn through the armies of the Great King. But while others could see in this only an exhibition of superior Greek prowess, the keen eyed leaders of Jerusalem's market place realized that it demonstrated another, more important truth: properly disciplined and ordered, a small group might rout outnumbering hosts.

They understood at last why their predecessors had made such little headway in spreading their teachings among the people. The prophetic following had never been a party in the true sense of the word. It had had the advantages of truth, reason, piety, and determination. It had produced wise leaders, capable thinkers, eloquent orators, and gifted writers. But that was not enough. It had lacked fundamental requisites for human victory — numbers, wealth, and organization. The first two were beyond its power to secure; but why could not the third be provided? Never before had the plebeians made any attempt to attain group solidarity, to formulate a definite program of action, to demand that everyone declare himself either for them or against them. They had permitted their wealthier adherents to be court officials of Kings who persecuted, imprisoned, and even executed their leaders. The plebeians had even permitted the more backward elements to hold views which were denounced as subversive and false by the more progressive. The reformation of Josiah, in which some of their leaders had participated, had been rejected by others; the building of Jerusalem's walls which Haggai had advocated, had been denounced as evidence of little faith by Zechariah.

No wonder that such confused movement had had only a limited influence. From the perspective of centuries, it seemed miraculous that it had even survived. But now a change was to take place. The plebeians became the Hasideans, "the Pietists." The assumption of a name indicated a fundamental change in the whole attitude of the groups. The followers of Isaiah, Jeremiah, and Deutero-Isaiah could not be identified; their disciples of the third century B.C.E. stood out as a definite unit in the body politic. It is altogether probable, however, that the naming of the group was merely one of the minor changes in its development. The character of the Pharisaic and Essenic Orders, which were Hasidism's spiritual children, indicates that the earlier group, too, had its recognized membership, its rules for admission and expulsion, its period of trial, its recognized beliefs, its duly chosen leaders, and its method for reaching party decisions.

No less important than these externalities of organizational life was the systematization of plebeian belief. For the first time in Jewish history, an attempt was made to formulate some of the fundamental doctrines of the faith. The concept was so definitely foreign to the Judaite mind, which always liked the concrete and shunned the abstract, that we cannot be wrong in imputing the tendency to the influence of the example set by the Athenian philosophical schools. But while the method was Hellenic, the content was definitely prophetic. The principles asserted by the

Hasideans were those taken over by Pharisaism in later times, the belief in the resurrection, in the existence of angels, in Divine Providence as relating to the individual in all aspects of his life, and in the validity of the Oral Law.

The fear of Trito-Zechariah that a war between Jerusalem and the rest of Judah was in the offing may have been produced, in part, by the growing strength of the Hasidean Order in the capital. Certain it is that by the year 168 B.C.E., the new organization had become sufficiently established to exercise a determining influence on the course of Palestinian history.

It is doubtful, however, whether the Order could have attained this prestige without the assistance which came to it through a curious series of events in the third century B.C.E. Palestine was then under the rule of the Egyptian Ptolemys. The High Priest was the first local functionary and combined in himself the ecclesiastical duties of the Aaronid with the official prerogatives of the governor. Chief of the aristocracy, he was naturally also first of the assimilationists. Neither he nor his subordinates were apparently conscious of the contradiction involved in their queer position. They could not realize that by deserting Judaism and cleaving to Hellenic-Egyptian culture, they were breaking down the ladder on which they had ascended.

The weakness of the high-priestly family became clear as soon as it encountered formidable opposition. Joseph ben Tobiah, who was fated to be its first challenger, was an opulent Judaite, with large landholdings east of the Jordan and with powerful friends in Samaria. He was not of the high-priestly family, but his mother was the sister of the High Priest. The family connection was, however, of slight importance in a day when kinship was reckoned only through the father. In fact, it was Joseph's mother, the sister of the High Priest, who gave him the first opportunity to utilize his economic wealth in order to gain political power.

The High Priest, Onias II, had withheld the taxes from Ptolemy III Euergetes, hoping doubtless to gain some special privileges from him because of the difficulties then ensuing between Egypt and Syria. As a result of the quarrel that arose, Onias sent his nephew, Joseph, to Egypt to pacify the government there. Either on this trip or subsequently, Joseph took advantage of the Egyptian friendships he formed to obtain the right of chief tax collector of all Syria on behalf of the Egyptian government. This official recognition placed him in a position superior to that of the High Priest — in fact, above that of any Judaite or Syrian alive.[1]

We may imagine how the High Priests in Jerusalem, who had held the first place in the Commonwealth for almost three centuries, accepted the promotion which had come to a simple member of the laity. They suddenly discovered that having cast aside their spiritual claims they might easily be bereft of all temporal power as well. They were the more terror-stricken when they noticed that Joseph ben Tobiah, who even before his rise had had intimate associations with the Samaritans and the pagans, pursued more energetically than ever his Hellenistic policies, which threatened to undermine the last vestige of priestly authority.

Onias II, who had himself played the assimilationist all his life, could not easily change his ideals or his habits. But his successor, Simeon II, realized with statesmanly understanding in what direction the true interests of the priesthood lay. He broke completely with the assimilationists, who had until that time claimed the whole aristocracy and priesthood, and became the leading exponent of Hasidean doctrine, in which alone he saw promise of permanent influence for the Temple and its ecclesiastic officials. He knew that the hybrid culture which had been developing in Jerusalem under the joint influence of a weakening tradition and a corrupt Hellenism was even more dangerously materialistic and selfish than the negativism which had been characteristic of the aristocrats before his day. The spiritual life of the people could be saved only by accepting the plebeian doctrine that Judaism was Torah, a philosophy, greater than any other, because it emanated from God.[2]

In order to carry out his program, Simeon convoked a "Great Assembly," similar to that which had met on Mount Carmel in the days of Ahab and Elijah.[3] Such importance, however, attached to the decisions of this Assembly that it became known in later Jewish history as "*The* Great Assembly" (*Keneset Ha-Gedolah*), par excellence.

And, indeed, the measures which the Assembly took were of a most revolutionary nature. The most important of them was the admission of the plebeian scholars into the *Gerousia* or Governing Council of the community. For a suitable parallel to this revolutionary change, which was the first step in the transformation of Judaism from an aristocracy into a sophocracy, or government by the learned, we must turn to the admission of the Commons into Parliament by Simon de Montfort in 1265. The traditions which derived from the earliest days of Israelite settlement in Palestine were broken down; the rights which had been vested solely in the "heads of the families" and the "elders" or sheiks of the clans, were to be shared by them with men of learning, who might be smiths, carpenters, or traders.

It is a pity that no records have been preserved of the deliberations which led to this epochal decision. Surely nothing but the determination of the High Priest could have carried the day for the plebeians. A generation earlier, the Chronicler had vainly pleaded for the admission of some Levites into the Council, basing his demand on the grounds of historical precedent. Now, the privilege was extended to men who had no ecclesiastical standing whatever.[4]

The innovation necessitated an alteration in the name of the Council. It could no longer be called the *Gerousia*, or Gathering of Elders; it had become simply the *Bet Din Ha-Gadol*, the Great Court, or in Greek, for governmental purposes, the Synhedrion, or Council.

The new plebeian members were to be selected by the Court itself. Whether any fixed number was assigned to them, whether they were admitted to all meetings or only to some, and whether they also met separately from the elders, is not recorded. It seems probable, however, that from the first they were permitted to select one or two advisers to the High Priest from among their midst; and that their superior knowledge of the ceremonial Law made them especially responsible for its development.

Second only to the reorganization of the *Gerousia*, and in a sense ancillary to it, was the announcement that the period of prophecy was at an end. This decision had been adumbrated by the declaration of Trito-Zechariah, who may himself have been a member of the Great Assembly, denying that any true prophets would arise in the future.[5] And indeed, the admission of the plebeians into the Sanhedrin made a prophetic opposition superfluous. The struggle between the classes was at last removed from the market place into the Council Chamber, where it belonged.

The end of the period of literary prophecy, which had extended over six centuries, could not be better marked than by the collection and edition of the prophetic works. It is probable that a standard text was produced, which ultimately became the basis for all future codices, and thus explains the remarkable uniformity of all the extant manuscripts of the prophets.[6]

A record of later date ascribes to the Great Assembly more than the collection of the ancient prophetic works; it maintains that the sages of that day actually "wrote" the Books of Ezekiel, the Twelve Prophets, Daniel and Esther.[7] Apparently, the chronicler to whom we owe this report meant that the men of the Great Synagogue reduced the scattered fragments of these works or perhaps their memorized texts into written, book form.[8] Whether he was correct in this it is of course impossible to say. The fact that he included the Book of Daniel in his list — although it was not composed for more than two generations after the time of the Great Assembly — naturally casts doubt on the authenticity of his tradition. And yet there are a number of considerations in the textual analysis of Ezekiel and the Twelve Prophets which support him.

Not satisfied with the major achievement of finally fixing the prophetic canon, the Great Assembly turned its attention to the ritual of the Temple and the synagogue. The innovation which they introduced into the temple service, in the daily reading of the *Shema*', has already been described.[9] The synagogue service, which had grown up without official direction, was put on a recognized basis, and a fixed formula was established for its daily and Sabbath prayers.[10] The service probably began with the reading of prescribed portions of the Torah; this was followed by the informal petitions of the individual members of the congregation; after which the leader recited aloud his prayer for the whole group. As formulated by the Great Assembly, it seems to have read as follows: "Blessed art Thou, O Lord, our God and the God of our fathers, the God of Abraham, the God of Isaac, and the God of Jacob, the most-high God, Possessor of heaven and Earth. Hear our cry, O Lord, our God, have pity and mercy upon us. Blessed art Thou, O Lord, who dost hear prayer." On Sabbaths and festivals, when petitions for daily needs could not be offered, the second and third verses read, "Grant us joy, O Lord our God in this Sabbath [*or*: festival] day. Blessed art Thou, O Lord, who dost sanctify Israel and the Sabbath [*or*: the Festivals]." Where a priest was present, the service ended with his benediction.

It is noteworthy that the first verse of these prayers reflects the same theological trend of thought that is indicated in the selection of the *Shema*ʻ for the Temple service: the combination of the universalist and the particularist elements in the Jewish conception of God. God is appealed to first as the Deity of the Patriarchs, and then as the Creator of heaven and earth.

The same conception reappears in the Blessing after Meat, which, in its original form, was apparently also fixed by the Great Assembly. The first paragraph praised God as the one "Who feeds the whole world in His grace"; the second thanked Him for having granted Israel the land of Canaan and its produce.[11]

Finally, the Great Assembly summarized its principles in a norm calling on the judges of the villages and towns to combine with their judicial duties also those of teachers of the young. "Be deliberate in judgment, set up a hedge about the Law and make many disciples."[12] In later times the second phrase was construed as a justification for the addition of various prohibitions to those enumerated in Scripture;[13] but originally it was apparently intended merely to urge the strengthening of the tradition as opposed to assimilation. Like their leader the High Priest, the members of the Great Assembly realized that Hellenism as a cultural movement could be offset only by a strong educational effort among the masses.

Simeon's services to the Torah won him the title *Ha-Zaddik*, the Righteous, among the loyalists. His conversion was not individual, however. Large numbers of the aristocratic laity realized the peril to which their unbridled assimilationism was leading and turned back into cultural nationalism. This movement was further stimulated by a conflict which broke out among the Hellenizing descendants of Joseph ben Tobiah himself.

The seven older sons of this mighty tax farmer quarreled bitterly with his favorite youngest son, Hyrkan, who was a half-brother of theirs. Various stories were told of his ignoble birth; according to some he was the child of an Egyptian dancer with whom Joseph had fallen in love. But Hyrkan himself always maintained that he was of legitimate birth. According to his story, Joseph had indeed fallen in love with an Egyptian dancer, but through a ruse had been prevented from living with her. One of Joseph's brothers was ordered to bring the dancer to Joseph's house, but brought his own daughter in her place, and this girl, Joseph's niece, became his legitimate wife, and the mother of Hyrkan.

Whatever be the truth about this ancient scandal, there can be no doubt of Hyrkan's hostility to his older brothers.

Joseph decided to send Hyrkan to Egypt to protect him from the anger of his brethren; but once there, Hyrkan spent a fortune in winning the favor of the rulers to himself. His father, fearing that the young man might supplant him in his high office, recalled him, but durst not hurt him, since he came armed with letters of commendation from Ptolemy.

When Joseph ben Tobiah died, the quarrel about the succession broke out in earnest. Two of the older brothers were killed in the fray between the various factions. But the High Priest, Simeon the Righteous, sided with the older brothers, and ultimately Hyrkan left Jerusalem to retire into his ancestral estates across the Jordan, where he seems to have set up a petty, feudal principality.

The struggle was, however, destined to reach wider dimensions. The sons of Tobiah, angered at the favor shown Hyrkan at the Egyptian court, and fearful lest he ultimately supplant them, also favored the Seleucids. We may take it, although the records are silent on the matter, that the majority of the plebeians in Jerusalem agreed with this pro-Syrian policy.

This assumption is further confirmed by the events which occurred in 198 B.C.E., when Antiochus III, the Great, vanquished the Egyptians and seized control of Palestine. In a document preserved by Josephus,[14] the authenticity of which is generally recognized, Antiochus acknowledges the assistance given his army by the Jews in the struggle against the Egyptians, and in gratitude he grants them autonomy, "to let them live according to the laws of their own country"; he makes gifts to the Temple, including not only sacrifices but also the right to import wood from Lebanon tax-free; and finally he discharges from the crown tax and poll tax "the *Gerousia*, the priests, the scribes of the Temple and the sacred singers." The men whom the Greek king describes as "scribes of the Temple" were, we may be sure, the *soferim*, whom we know from Jewish literature, the sages and scholars who preserved the Oral Law, and whom Simeon the Righteous had admitted into the Great Assembly and the Council it established. The composer of the document calls them "scribes of the Temple," although they had no direct association with sacrifice, because the Council met within the Temple portals, and because it was necessary to distinguish them from the professional secretaries, who were also called scribes. As late as the Talmud, the central court is called the "*Bet Din* of the Chamber of Hewn Stones." It was natural, therefore, that in earlier times, and especially in a government document, the scholars should be mentioned as those associated with the Temple. It is equally significant that the Levites, "the sacred singers" of the sanctuary, are given the same relief from taxes as the priests. This further indicates a recognition by Antiochus that the party which sided with him was composed largely of the plebeian scholarly group, with whom the oppressed Levites were so closely associated. Bearing in mind the antagonism between the priests and the Levites which became traditional during the Second Commonwealth, we cannot believe that those who obtained this recognition for the lower temple ecclesiastics were the high-priestly aristocrats of Jerusalem. On the contrary, it is apparent that the negotiations with Antiochus III were carried on by the recognized *Gerousia*, in which the Levites and scholars sat on equal terms with the priests. It was this body which contained within itself representatives of the humbler castes, which insisted that they be granted the privileges and immunities which in earlier times belonged to the priests alone.

But together with the priests, scholars and Levites, Antiochus felt bound to recognize his other powerful allies in Jerusalem: the Tobiads, the older sons of Joseph ben Tobiah,[15] who, taking sides against Hyrkan, had joined Simeon II in espousing the cause of the Syrians. An aristocrat by the name of Simeon, who was either one of them or closely affiliated with them, was appointed to the high position of "Prince of the Temple" (Heb. *Sar Ha-Birah*). Presumably this office had formerly been filled by a member of the high-priestly family; its assignment to an "outsider" must have been a painful humiliation, for according to the records before us, this Simeon the Tobiad was not even a priest, but a member of the tribe of Benjamin (II Mac. 3.4).

The high-priestly families blamed the philo-Syrian policy of Simeon the Righteous for this further rise of the upstart Tobiads. Far from regaining control of the Commonwealth for them, the High Priest had actually entrenched their rivals in power. He might indeed claim — and with justice — that he had saved for the hierarchy all of its prestige and influence that could be saved. Yet they could not bear with equanimity the arrangement which compelled them to share their religious authority with the plebeian scholars and the despised Levites, and their temporal government with the lay Tobiads.

So long as Simeon the Righteous lived, he managed to keep the arrogance of the Tobiads under restraint, and to impose his own loyalist policy on the Temple priests. But when he died and his own son, Onias III, succeeded as High Priest, a quarrel between the House of Tobiah and the disappointed Aaronids, who had so recently been its allies, broke out.

Simeon the Tobiad, not satisfied with being Prince of the Temple, wanted to become also the *Agoranomos*, which would have given him full power over the market and thus over the economic life of the city. When Onias III declined to give him this office, he appealed to the Syrian government and pointed out to them that the Temple contained immense treasures of gold and silver which ought to be turned over to them. Seleucus IV, who reigned at the time, was, like all the Syrian kings, greatly in need of funds, and immediately despatched Heliodorus, a general, to obtain the Temple treasures. Onias III resisted the Greek demands, and finally succeeded in persuading Heliodorus not to confiscate the Temple funds. So unusual was such yielding by the Syrian governors that a legend arose of some miracle which occurred just in time to prevent the desecration of the sanctuary.

The Tobiad, temporarily defeated, did not drop his plan. After some time he again appeared before Seleucus to traduce Onias III as a traitor. Onias was summoned to defend himself; but apparently, while the matter was still undecided, Seleucus died and Antiochus IV Epiphanes came to the throne.

The charge against Onias was probably not without foundation. Seeing that the covenant with Syria had failed the ruling class, Onias reverted to the Egyptophilism which was natural and traditional with the Judaite aristocracy. He sought out Hyrkan, the illegitimate son of Joseph ben Tobiah who was living in Transjordan, and joined hands with him in upholding the cause of the Ptolemys, just as the nobility of Jeohiakim's day had sided with the Pharaohs. The Tobiads, on the other hand, and a large number of their friends, continued to uphold the cause of the Syrians. The struggle between the pro-Egyptians and the pro-Syrians had now ceased to be religious or social. The plebeian pietists could accept neither the one nor the other, for both were assimilationist. The High Priest and his following, who looked to Ptolemy for guidance, were no less Hellenistic than the Tobiads, though perhaps their interest in the Temple made them less extreme. The Tobiads, on the other hand, did not hesitate to inform Antiochus "that they were prepared to leave the laws of their country and the Jewish way of living according to them, and to follow the king's law and the Grecian way of living: wherefore they desired his permission to build a gymnasium in Jerusalem. When he had given them leave, they hid the sign of the circumcision, so that even when they were naked they might appear to be Greeks. Accordingly, they left off all the customs which belonged to their country and imitated the practices of other nations" (II Macc. 4.9).

These reforms hardly needed the consent of Antiochus, and it has been justifiably assumed that their real purpose was to bring about the transformation of Jerusalem into a Greek *polis*, with the organization, manners, language and custom of any other Hellenic community. This is particularly indicated in the record preserved in the Second Book of Maccabees (4.10), which tells us that the Hellenists prayed to the King to "register the inhabitants of Jerusalem as Antiochians."

Together with these changes in the city's organization and culture, the Tobiads obtained the removal of Onias from the high-priesthood, and the substitution of his brother, Jason, who was more amenable to their purposes. Led by the new priest and the powerful Hellenists, the young men were trained in the ephebic system of the Greeks. "The noblest of them," we are told, "wore the Greek cap, and there was an extreme of Greek fashions and an advance of an alien religion by reason of the extreme profaneness of Jason, that ungodly man and no High Priest. The priests had no more zeal for service at the altar, but despising the sanctuary and neglecting the sacrifices, they hastened to enjoy that which was unlawfully provided at the palaestra, after the summons of the discus, making no account of the honour of their fathers, and thinking the glories of the Greeks best of all" (II Macc. 4.12 ff.).

But the time came when the Tobiads, wearied of governing through Jason, who was their puppet, decided to seize the high-priesthood for themselves. Menelaus, a brother of Simeon the Tobiad, going on a mission to Antiochus, persuaded the King to appoint him to the holy office, "outbidding Jason by three hundred talents of silver" (ibid. 4.24). Jason was now driven into exile across the Jordan, while Menelaus established himself in his place, "bringing [to it] nothing worthy of the high-priesthood, but having the passion of a cruel tyrant and the rage of a savage beast."

Menelaus, who thus supplanted the ancient Zadokite dynasty of High Priests, was not even an Aaronid. As we have seen, his brother Simeon is expressly described as a Benjaminite, which implies, of course, that he, too, belonged to that tribe. Recent apologetes, unable to believe that an outsider could have been elevated to the highest ecclesiastical office without provoking armed rebellion, explain that the term *phyle Binyamin* (used in the Book of Maccabees to describe Simeon) refers not to the tribe, but to a priestly clan of *Miyamin*. They insist, therefore, that Menelaus was actually a priest, though not of the high-priestly families. Others who suppose that Simeon was also a son of Joseph, go so far as to transform the whole Tobiad family into priests.

But these statements rest on unverified and unverifiable surmises. Whether Simeon and Menelaus were actually sons of Joseph ben Tobiah or not, cannot be stated definitely. But that they were not priests seems evident from the record. It is altogether unlikely that a contemporary writer would confuse a priestly family with a whole tribe, and it is further improbable that a Greek author, sufficiently ignorant to make the confusion, would have known the clan-genealogy of the priesthood. It is true that none of the books describing the events, the First or Second Maccabees or Josephus, mentions the astonishing event of the rise of a non-priest — for the first time in recorded history — into the high-priesthood. But there was good reason for their silence. The Jews were by no means willing to publish the facts about the desecration of their highest ecclesiastical office. Josephus, in his *Antiquities*, is so anxious to cover up the ignominy which the Jews felt in that *coup d'état* that, in one passage, he makes Menelaus a son of Onias III.[16] This is in startling opposition to what he says elsewhere; but he considers it preferable to misstate the facts and to be guilty of an obvious contradiction than to admit the painful truth. It was the same attitude, doubtless, that led older writers to be silent about Menelaus's Benjaminite ancestry.

While the Hellenists were thus playing havoc with the Temple and the whole of Jewish life, the plebeians were organizing their school and pursuing their studies. In spite of all the oppression they underwent, they were not without capable teachers and leaders. The new converts whom they gained during the favorable era of Simeon the Righteous remained with them, and many more were doubtless added to their ranks from sheer disgust with the methods pursued by the Hellenists, both pro-Egyptian and pro-Syrian. Of those who stood in the first rank of the loyalists at this time, tradition recalls the names of two — Jeshua ben Sira, and Antigonus of Socho. These men, deserting the social ambitions and materialistic interests of their class, became — doubtless to the horror and dismay of their friends — proctors and scribes like the humble plebeians.

Whether they worked together or separately we do not know, but both of them were, of necessity, intermediaries between the two contending classes, the plebeian Hasids and the aristocratic patricians. They realized that if Hasidism was to win converts among the patricians, it would have to be transformed and reinterpreted. The nobility and the upper class gentry might accept the Hasidic teaching of pacifist nationalism, but they would never accept such doctrines as the resurrection, personal angels, and human equality, or the negation of free will and the value of mundane achievement. Ben Sira created his own form of loyalist teaching, which is preserved in the book bearing his name. He outlines what he considers to be the essential of plebeian ideology, its piety, its reverence for the Jewish past, its loyalty to Jewish literature and thought. At the same time, he specifically denies any faith in its theology. He approves the plebeian doctrine of kindness to the slave under certain circumstances, but holds that at other times patrician severity is the wiser policy. He regards learning as the highest of human values, but considers it more appropriate for the patrician than for the artisan. Ben Sira's book thus becomes a medley of beautifully expressed compromises and casuistries. We flit from sage maxim to pious psalm, from cold prudence to saintly faith, from patrician pride to plebeian comradeship. But a close inspection shows us that the book is not a confused notebook of literary jottings, but a carefully planned pedagogic treatise, aimed to win the patrician child, and incidentally his father, to the new faith of what we may call neo-Hasidism.

In Ben Sira's mind, Hasidic cultural nationalism became violently political. He could not share the sense of complete independence from paganism which was characteristic of the plebeian. In his efforts to win over some of his assimilationist comrades, he had to exaggerate the virtue of his people and the vices of its rivals. Hence we find him uttering sentiments regarding the Edomites and the Samaritans which no plebeian Hasid could have brought himself to repeat:

> "With two nations is my soul vexed,
> And the third is no nation:
> They that sit on the Mountain of Seir and the Philistines,
> And that foolish people that dwelleth in Sichem" (50.26).

With such feeling toward the surrounding peoples, Ben Sira must necessarily have been deeply averse to intermarriage with them. Yet, not a single denunciation of mixed marriages occurs in his book, although according to the First Book of Maccabees it was still a rampant social evil, especially among the patricians to whom Ben Sira is addressing himself. Did Ben Sira perhaps fear that any mention of exogamy as an evil might alienate some of those whom he wished to attract to his doctrine, the children and grandchildren of mixed marriages? And can this apprehension have been the true reason for his amazing omission of Ezra, the iron-willed opponent of such unions, from his list of Jewish heroes?[17]

From Antigonus of Socho there has been preserved only a single maxim which, as we have observed, was an effort to compose the theological quarrels of the day by declaring them irrelevant.[18]

It was probably at this time that the Sanhedrin boldly appealed to Antiochus Epiphanes against the injustices and oppression of Menelaus. This act shows that the organization of the Sanhedrin had not been changed through the various coups which had taken place at the Temple. The pietist scholars still sat in the High Court side by side with the Levites and the priests. But Antiochus was not at all moved by the petitions and protests of these Judaite teachers. On the contrary, a timely gift of Menelaus to the King's favorite brought about the execution of the agents "who," says the historian, "had they pleaded before the Scythians, would have been discharged uncondemned" (II Macc. 4.47).

A year later, 169 B.C.E., Antiochus, returning from an Egyptian campaign, appeared in Jerusalem and, in violation of Jewish Law, was led by Menelaus into the innermost chamber of the Temple, which was never entered except by the High Priest on the Day of Atonement. The King seized the Temple treasuries, taking from them a thousand and eight hundred talents of gold, including all the gold and silver vessels which had been treasured there for generations before him. The pietists who opposed these ravages were ruthlessly slaughtered or sold into slavery. Not satisfied with these brutalities, Antiochus appointed a Phrygian, Philippos, "in character more barbarous than him that set him there," to assist Menelaus in carrying out his assimilationist programme. And in further pursuit of his determination to Hellenize the country the King appointed a similar governor over the Samaritans at Shechem.

In 168 B.C.E. Antiochus undertook another expedition against Egypt. This time he had before him every prospect of a complete victory when, as is well known, C. Popilius Laenas, the representative of the Roman Senate, commanded him to withdraw at once from the campaign. Infuriated at this peremptory order, which he had no choice but to obey, the King decided to wreak his vengeance on the helpless Judeans. His determination became adamant when he heard that Jason had returned to Jerusalem and was inciting a revolt against him. The truth was that Jason had met with nothing but hostility from all sections of the people. But the King either did not, or would not, hear these mitigating reports. He dispatched Apollonios, a regimental commander, to Jerusalem with twenty-two thousand men to reduce the city. Coming to Jerusalem, the wily Syrian commander played the man of peace until the Sabbath when the Jews, being at rest from their work, were attacked by his soldiers, mercilessly cut down in the streets, and searched out for destruction in the retreats of their houses. The walls of the city were broken down and in place of the old Hebrew city a new Hellenic *polis* was founded south of the Temple, near the old citadel of David. The observance of the Law, by either Jew or Samaritan, was made punishable by death; the Temple at Jerusalem was rededicated to the Olympian Zeus, and that of the Samaritans on Mount Gerizim to Zeus Xenios. Throughout the land, synagogues and sacred scrolls were burned and local idolatrous altars were set up. The people's feelings were outraged by the sacrifices of swine, both in these new sanctuaries and in the old Temple of Jerusalem.

The priests, no less than the plebeians, were dismayed by these events. With one fell swoop they lost the ecclesiastical authority by which, after all, they had ruled. Their assimilationist tendencies might move them to disport themselves naked in heathen gymnasia, to call themselves by Greek names, to speak the Hellenic language, and to stutter over Homeric masterpieces, but the suppression of the Jewish ritual was a grave spiritual and economic disaster for them. Yet they had no choice but obey the inexorable tyrant, whose word was law and whose will was enforced by his armed bands.

Many of the plebeian Hasids, however, would not yield to the infamous decrees. Life had given them little but the delight in the Law and the commandments, the knowledge that they were serving God, and the hope in a future world; were all of these to be sacrificed at the whim of a deluded pagan? Leaving their shops and their markets, many fled to caves where, as outlaws from the human ruler, they could the better serve their divine King. But even in these hiding places Antiochus's soldiers ferreted them out and slaughtered them in cold blood. Pacifist by their plebeian tradition, they made no effort to organize opposition, and had no faith in the possibilities of insurrection. They looked to God for a miraculous delivery, which they were certain must be near. The Book of Daniel preserves a series of stories which one of the Hasids composed to keep up the courage of his comrades. Like Daniel and his three colleagues, they were to choose death rather than sacrilege; martyrdom was to be preferred not only to idolatry, but to the surrender of an iota of the Law.

The hopes of the plebeians were indeed to be fulfilled, but in a different manner than they had expected. Mattathias, a priest living at Modin, a village near Jerusalem, was one of the converts to the New Hasidism. He believed uncompromisingly in God and the Law, but he added to this faith the courage and warlike spirit of the farmer. When the royal agent came to set up the heathen altar in his village, he did not flee, nor did he stretch out his neck for slaughter. A member of the gentry as well as a priest, he slew the King's representative and raised the banner of revolt. He had to escape into the wilderness, of course, like so many plebeian Hasids, but he fled not from, but to, battle. Gathering about him a number of other loyalists and those Hasids whom he could inspire, he formed a small band ready to become the divine instruments for the people's freedom. He died in the early stages of the war and handed over the command to his son, Judah, the most powerful soldier.

In a series of brilliant exploits Judah defeated the armies sent against him and finally forced his way into Jerusalem, where he rededicated the Temple, cast out the statue of Zeus and restored the traditional ritual.

During the war Antiochus died and was succeeded by Demetrius, a pretender to the throne, who slew Antiochus V, the son of Epiphanes. The new king, seeking a solution of the Jewish problem, was persuaded by Alcimus, a member of the old high-priestly nobility, that peace could be restored if he would withdraw the oppressive decrees of Epiphanes and permit the Temple to function and Jewish law to be observed. It was now (162 B.C.E.) that the difference between the pacifism of the Hasids and the warlike spirit of the Maccabees and gentry was to show itself. For Judah and his military commanders would not hear of any peace with Alcimus; they demanded the recognition of themselves as the Jewish leaders. But, the Book of Maccabees tells us, "there was gathered together unto Alcimus and Bacchides [the general whom Demetrius had sent with Alcimus into Judah] a company of scribes, to seek justice. And the Hasidim were the first among the children of Israel that sought peace of them, for they said, 'One that is a priest of the seed of Aaron is come with the forces, and he will not do us wrong' " (I Macc. 7.12).

Once in power, Alcimus and Bacchides treacherously slaughtered sixty of the leaders of the late rebellion, among them the famous scholar, Jose ben Joezer of Zeredah,[19] Alcimus's uncle. Judah and his followers were driven from Jerusalem, and the Hellenistic priests again governed the Temple.

Judah now strengthened his forces and reached the climax of his career in a brilliant victory over Nicanor, a Syrian general who had been sent against him. This led to nothing, however, for Bacchides returned with a huge army before whom Judah's followers melted away. The pacific gestures of the Syrians and Alcimus, the hopelessness of the struggle against overwhelming odds, and Hasidean love of peace, left Judah with no more than 800 men. Daring battle with these few, he was overcome and killed.

Yet his intransigent band would not yield. Under Jonathan, the brother of Judah, they continued to carry on guerilla warfare against Alcimus and the Syrian soldiers. The rebels gained some strength when, in 159 B.C.E., Alcimus died of a sudden stroke which the people interpreted as punishment for his sin. Somewhat later Jonathan, who added to his military ability diplomatic cunning of a high order, arranged a truce which permitted him to live at Michmash in peace with the government. So far as we can see, the peace was entirely satisfactory to the Hasids who could now pursue their studies and religious practice without interference. But Jonathan's ambition had been kindled, and in 153 B.C.E. he managed, by playing off rival pretenders to the Syrian throne against each other, to obtain for himself the high-priestly office.

By this time it became evident that the passion for the Law which had been the motivating ideal of the Hasmoneans in their youth had cooled and had been replaced by a selfish desire for aggrandizement, mixed with a patriotic hope of gaining power and independence for Judea. Jonathan doubtless outraged Hasidic feeling when, as High Priest, he continued to lead armies in battle.[20] The readers of the Chronicles remembered that David had been denied the privilege of building the Temple because he had shed much blood (I Chron. 28.3), yet now the High Priest himself was an active general. Moreover, he was leading armies not against the enemies of the Lord and the Torah, but was involving himself in dynastic war about the Syrian succession in which Judea had little interest. But success atones for many sins, and the continual good fortune which came to Jonathan seemed a token of divine blessing. When he died by the hand of treachery, in 145 B.C.E., Simeon, his brother, the only surviving member of the family, succeeded without difficulty to the high-priestly dignity. He pursued the diplomacy which had brought such success to Jonathan, and was finally rewarded when in the year 143 B.C.E. he was recognized as civil ruler of the Jewish people who were not only autonomous but at last independent.

The ancient Hellenizing aristocracy which had been in control of land and Temple till 168 B.C.E. now gave way to the upstart Hasmonean house, who were destined during the next seventy-five years, to hold the first place in the Commonwealth. The priestly clan of Jedaiah or Seraiah (both names are used of it in the ancient records) was removed to second place, yielding the first to the previously hardly known family of Jojarib, to which the new rulers belonged. But the social forces which had made the grandchildren of pious priests, returning from Babylonia to Palestine, impious renegades and assimilationists, operated no less effectively against the continued idealism of the new priesthood. Simeon, himself, met death seven years after his accession to complete rule, at the hands of a son-in-law, bearing the ominous name of Ptolemy (135 B.C.E.). Presumably this Ptolemy was a Jew, but certainly he was an assimilationist, calling himself by the traditional name of the Egyptian kings. In his ambition to rule he was capable of murdering his father-in-law, seeking the death of his brother-in-law, and brutally torturing his mother-in-law, whom he had captured, to save himself from his deserved fate. That Simeon should have married his daughter to such a creature is evidence of his own fatal desire to be "accepted" by the patrician families of the disappearing past.

Still neither the people nor their rulers could forget, in the early days, what a miracle God had performed through the Hasmoneans, giving them the marvelous, unpredictable victory over the Syrians. The Law had been vindicated and it became, inevitably, the constitution of the land. The Sanhedrin was reestablished; the High Priest sat once more at its head; and each of the wings of the new pietist group were represented in the leadership of the Council — the wealthier gentry by Joshua ben Perahya, who was head of the "judicial committee," and the humbler plebeian group by Nittai the Arbelite.[21]

Among the first decisions taken by this Council was one fixing the status of the heathen in the new Commonwealth. In accordance with Deuteronomic Law the government was authorized to stamp out the worship of idols; but no effort was to be made toward forcible proselytizing. The Gentiles were prohibited from uttering blasphemy, worshiping idols, committing murder, theft or sex crimes, tearing the limbs of living animals (a common pagan practice of the day), and were made subject to the established civil law. Otherwise they were left free to follow their own religious or irreligious inclinations.[22]

It is clear from this and other decisions taken during this period that so far as the interpretation of the Torah was concerned, the plebeian scholars were in full control of the Sanhedrin. The compromise which gave to them control of the inner life of the people, and to the ruling Hasmoneans, who retained their warlike spirit, the political power, was continued under John Hyrkan, the son and successor of Simeon. While the plebeian scholars were developing the Law within the land, John Hyrkan carried on furious warfare against the neighboring peoples. Since Deuteronomic Law, now the land's basic constitution, forbade conscription, the King resorted to mercenary troops, with whose assistance he conquered the Samaritans and the Idumeans (Edom). The Samaritan Temple on Mount Gerizim was destroyed and, in violent opposition to the Hasidean teachings, the Idumeans were forcibly proselytized. Finally, Hyrkan added to his high-priestly title also the coveted name of King,[23] combining in himself the traditional dignities of the Davidic and Aaronid dynasties.

The brilliant victories of the Hasmoneans, the deep indebtedness which the pious owed them, the miracles which had been worked through them, and the natural infectiousness of war fever, had gradually won away the Hasidean peace party. The pacifism of its leaders during the trying days of Alcimus, their continual efforts at a compromise with the Syrians, what seemed to their contemporaries their treacherous defeatism, inevitably brought about the dissolution of the whole group. In the joy and pride of victory, principles were forgotten and no one would wish to associate himself with those who had openly preached "ignoble" submission. But the disappearance of the party could not prevent the resurrection of its ideology as soon as the people returned from the madness of war into the sanity of normal life. War fever rises very quickly but it cannot last. The excited revelry of the night ends soon enough in the pains and sickness of the morning; what seemed the *summum bonum* a few hours before appears hateful and disgusting in the light of a new day. As soon as good fortune deserted the Hasmoneans and they began to lose battles instead of winning them, the old pacifism of the plebeian would once more make its appearance.

But this did not affect the new aristocracy which the Hasmonean victories had brought into being. To them and their children pacific teachings seemed freakish and absurd. Their wealth was fast increasing through the seizure of new lands and the capture of slaves; they were rising rapidly from peasantry into nobility; they were definitely supplanting the older aristocracy in wealth, position, prestige and power. The House of David, for instance, which as late as Trito-Zechariah (ca. 200 B.C.E.) still was an important clan in Jerusalem (12.12), had now disappeared from "society." Some of the ancient priestly groups were submerged with it. In their place new priestly clans had arisen, whose widened estates and increasing slave-holdings enabled them, like the earlier nobility, to take up residence in the metropolis.

The military captains and lieutenants, who felt that they supported the state, resented the control over them exerted by the peace-loving scholars who ruled the Sanhedrin. On the other hand, the plebeians were becoming restive at the growing influence of rural custom in Jerusalem. They had thought that when victory came to the people it would bring the realization of the dreams which they had carried about for centuries. Now victory had indeed come to the Jews and to the Torah; yet not to the plebeian interpretation of it. True, the plebeian scholars had great influence in the Sanhedrin, but they were without power over the Temple and its forms. There the priests with their traditional ritual, with their observance of Shabuot on Sunday, their disregard of urban Sabbath prohibitions, their refusal to kindle Sabbath lights, were supreme.

In addition to these differences and difficulties there were, sharper than ever, the fundamental disputes in theology. Though plebeian pacifism had been quite submerged in the excitement of war, its associated religious doctrines had survived. Indeed, the plebeians had been confirmed in their faith in the resurrection by the martyrdom of their comrades, which had left the less individualistic gentry quite untouched. The kindred problems of Providence and personal angels were being disputed with almost equal fervor. In addition to these, there were the great perplexing questions whether the Maccabean victories would culminate in a Messianic Age, and whether the Anointed of God would be a priest and one of the Hasmoneans, as the ruling class hoped, or a simple Judaite and a descendant of David, as the prophets had foretold?

Above all, there was the inclusive conflict about the validity of the Oral Law and the authority of the scribes. The new aristocratic priests could, no more than their predecessors among the Hellenists, brook the rivalry of the lay scholars. The priests could not forget that biblical Law had vested in them alone the sole religious authority, which was now being usurped, they felt, by the Sanhedrin, which was composed and largely controlled by contemptibly poor, plebeian academicians. Having arrived at power, the priests felt themselves unwarrantably hampered by the rules which prevented them from following aristocratic fashions in religion as in other matters. It was a source of shame to have to observe Pentecost on the day fixed for it by artisans and craftsmen, when the fashionable nobility favored another time. The Hasmoneans preferred by far the associations, companionship and ideology of the remnants of the old priesthood to the doctrines of the plebeians with whom they had been comrades in arms.

The keener observers of the day realized that these controversies were dividing the people as effectively as had the problem of Hellenism and Nationalism in the preceding century. Two authors undertook to bring about peace between the rival groups before any final schism occurred. One of them, a priest, wrote a deeply nationalist work, the

Book of Jubilees, through which he tried to unify the nation in hate for all other peoples. Passing over the moot doctrine of resurrection in silence, he asserts instead the immortality of the soul, which was less objectionable to the patricians and the gentry because it had never become an issue, and because it had come from the philosophy of the Greeks. He gives the ultimate throne and victory to the priests, but yields to their opponents the belief in angels, and in Divine Providence. He accepts some of the urban Hasidean customs, but in general prefers those of the patricians and the country.

Among the intricate problems which he proposed to settle, perhaps the foremost related to the calendar. Already in those early days it was a moot question whether the priestly or the scholarly section of the Sanhedrin ought to fix the time of the new moon. The question may seem trivial, perhaps ridiculous, to us because we no longer realize its full implications; but the ancient Jewish calendar depended not on mathematical calculations and arrangements, but was set from month to month according to the physical reappearance of the new moon. Witnesses who had seen the first sign of the crescent on the horizon after sunset were expected to report the fact to the authorities, who thereupon published throughout the country the fact that a new month had begun. The year consisted of twelve months whose limits were determined by these observations. But, since the lunar year consists of only 354 days, eleven less than the solar year, it was necessary from time to time to "intercalate" a thirteenth month before the Passover, to prevent its being moved back into the winter. This intercalary month was a "second Adar" and was added whenever a consideration of the sun's position in the heavens, the state of the crops, or of the new-born lambs, made it appear necessary.

The intercalation of the additional month had, however, not only ritual but also important economic implications, for according to the Law, no new Palestinian grain could be harvested or eaten before the Passover. We can readily see what financial stakes were involved, in consequence of this, in the postponement of Passover both for the native grower of barley, who watched his harvest ripen but durst not touch it, and for the importer who was preparing to sell the products of neighboring countries, Ammon and Egypt. Such was the interest in this question that in talmudic times the most careful safeguards were thrown about the deliberations regarding it. The committee met in gravest secrecy; none but those specially invited were permitted to be present.[24] The decision had to be reached at the seat of the Council; only under the most serious conditions of persecution was it permitted to have the committee meet in Galilee, for instance. The same importance naturally attached to the matter also in the earlier times which we are discussing. And because of that the question of who was the authority in the matter was long mooted. The priests of the Temple considered the calendar and its fixing one of their functions. So far as they were concerned, the calendar has but one purpose, — to tell them when the special festival sacrifices were to be offered. That the Jewish communities throughout the land were equally concerned with the festivals and the calendar, they could not appreciate. True, work was prohibited on the holidays, but that appeared to the ritualist, then as now, secondary to the Temple celebration. The Sanhedrin, on the other hand, dominated by the plebeians, endeavored to seize this power which had formerly been held by the priests. They considered the calendar a matter of national interest, to the individual Jews, to the synagogues throughout the land, to the commercial classes who had business dealings dependent on it. It seemed to them that the Temple's connection with the calendar was secondary and not primary; and held, therefore, that the fixing of the new moon and the intercalary month should be referred to themselves as the general judiciary and legislative body. The conflict regarding these opposing rights was long and bitter. As late as the first century of the Common Era the witnesses regarding the new moon had to satisfy both parties by appearing first before the priests and then before the Sanhedrin.[25] The decisions of the two bodies did not necessarily agree, and we may well imagine the confusion and difficulty which arose from two rival calendar-fixing authorities. Long before the problem had become as embittered as it did in those later years, the author of the Book of Jubilees proposed to settle the question forever by establishing a simple solar year of 364 days, divided into four equal quarters of 91 days and three months each. In this calendar the festivals, new moons, and other holidays would fix themselves and the troublesome problem removed from the field of politics and institutionalized religion, as it were.

The Book of Jubilees had wide influence and was in some circles accepted as authoritative. It has been preserved for us by the Ethiopian Church, which considered it canonical. Some of its provisions are still actually observed by the Ethiopian Jews, the so-called Falashas.

A similar effort at unification, but far more definitely partisan, was made by the author of the Testaments of the Twelve Patriarchs. This book, which purports to record the last wills of the sons of Jacob, the eponymous ancestors of the Twelve Tribes, accepts without qualification the plebeian contentions regarding resurrection, angelology, Divine Providence and pacifism. But the author, like the extreme Pharisees, adheres to the doctrine of non-resistance and the negation of the world. He approaches the Essenes in his contempt for the comforts and satisfactions which life offers. Unlike the priestly writer of the Book of Jubilees, he is very little concerned with the ritual; and rarely discusses its observance. Only once does he digress in this regard to urge the priests in the Temple to accept the Pharisaic prescriptions regarding the service. Otherwise his concern is only with questions of moral right and wrong. He skillfully uses incidents in the lives of the various patriarchs to point moral lessons to their children. Judah attributes his troubles to his sin of mixed marriage with a Canaanite woman; Reuben considers his sufferings a just punishment for his violation of his father's concubine. There are some indications that the writer was an artisan and lived in Jamnia, the small village on the Mediterranean which was later to succeed Jerusalem as the center of Jewish learning.[26] But the author has muffled himself too completely in his disguise to enable us to make any definite statements about his life.

Pharisee as he is, the author of the Testaments of the Twelve Patriarchs, no less than the priestly writer of the Book of Jubilees, accepts the rights of the Hasmoneans to the throne, as well as to the high-priesthood. He regards them as chosen by God and urges that they stand higher than the tribe of Judah, from which the Davidic dynasty was descended. It is clear from the insistence on the point in both books that there was, even in the heyday of

Maccabean power and prestige, a minority which could not reconcile itself to the obscuration of the House of David. It is also significant that a pacifist and believer in non-resistance, like the writer of the Testaments, should yet take pride in the Hasmonean victories over their enemies. With the writer of the Book of Jubilees he records with evident glee the struggles between Judah and the Canaanites, and with excusable fiction chooses for the places of those battles the localities where the Hasmonean army beat the Syrians. This ancient pacifist, who had been able to tear all rancor out of his heart, yet looked like many of his modern successors with satisfaction on the military achievements of his people in the past, and used their pride in these accomplishments as a means to mould them into a united group.

But the differences between the opposing groups, the patricians and the plebeians, were too deep-seated and all-embracing for such palliatives as these books offered. The nationalist warriors were not to be satisfied in their aspirations by tales of the brilliant exploits of their fathers, nor could their desire for new lands and slaves be stilled with a promise of infinitely greater glory in the future world, if they would only be quiet now. The quietistic plebeians who desired peace could not, on the other hand, become sufficiently non-resistant to tolerate militarism. Their tolerance of the heathen did not extend to the wicked among their own people. Like the author of Isaiah 66, they acknowledged the equality of Gentile and Jew in the worship of God, but like him, too, they could not repress a feeling of deep hatred and disdain for the wayward in Israel. They joined the prophet wholeheartedly in picturing an ideal future when the nations coming to greet God would "go forth, and look upon the carcasses of the men that have rebelled against Me; for their worm shall not die, neither shall their fire be quenched; and they shall be an abhorring unto all flesh" (Isa. 66.24). The gentlest and most non-resistant of pacifists still bore the birthmark which proved the descent of their doctrine from primitive, savage ferocity.

The Society of Pharisees, organized to maintain the Levitical laws of purity, now fell heir to the mantle which had fallen from the weakened shoulders of the Hasideans. They continued the missionary activities which the early Hasidean movement had inaugurated, but added to it the new zeal which derived from pride in the divine victory of Judah over its enemies.

The founders and chief exponents of the new puristic movement were the scholars and scribes. These teachers, who had made the study of the Law the main purpose of their lives, could not brook the rejection of a large part of it by a majority of the population. They tried to extend the habits of study and observance, as well as the belief in their favorite doctrines, such as resurrection and Divine Providence. As the Hasmonean parvenus lost the friendship of the plebeian masses, the Pharisaic party gained numbers and power. Yet the official purpose of the Society was still the propagation of the laws of purity; the ethical and theological views which divided it from the priestly aristocracy remained in the background. It was only toward the end of John Hyrkan's reign that a series of events occurred which transformed the society into a political party of the opposition prepared to take up arms in defense of its rights.

Rancor between the patricians and the plebeians was fomented primarily by those most dangerous of all Iagos, the hypocrites, demagogues, slanderers, and defamers, who tried to curry favor with particular groups by spreading libel about others, caring nothing about the fate of either, so long as they satisfied their own ambitions. They denounced the plebeians to the patricians, principally to the King, John Hyrkan; and the King to his people. They spread a rumor that his mother had been taken captive during the Maccabean wars, and that he was therefore unfit to serve as High Priest. They told him that the scribes believed the rumors. The latent electricity was discharged in a terrific thunderbolt when, at a feast in honor of one of John Hyrkan's victories, a flattering adviser suggested that he adorn himself with the high-priestly vestments. This ostentatious flaunting of the high-priestly dignity at a "victory dinner" was certain to pain and embarrass the peace-loving scholars who were present.

It happened as the evil counselors had foreseen. One reckless scholar arose and said: "Hyrkan, is not the royal crown sufficient for thee? Leave the crown of priesthood for the sons of Aaron!" After this public reference, the malicious rumor of Hyrkan's birth could no longer be ignored. The Sanhedrin thereupon made formal investigation of the charge, discovered it to be without foundation, and condemned the rash accuser to the comparatively light punishment of public scourging. But Hyrkan and his counselors, flushed with the pride of victory and far less reluctant than their opponents to shed blood, demanded the death penalty. When the Sanhedrin refused to impose it, Hyrkan seized the opportunity to expel the plebeian scribes, and to restore the old *Gerousia* of priests and clan chieftains.

Like other momentous events, the quarrel between King Hyrkan and the Pharisees is important not only for its lasting effects on the future, but because of the changes which culminated and became manifest in it. By disbanding the Sanhedrin of scholars and reverting to the displaced *Gerousia* of family-heads, the Hasmoneans and their followers symbolized their rise from rural patriotism into aristocratic opportunism. For the first time in their history they took action in the interests of their class and against the obvious unity of the nation. When Jonathan, against the advice of the Hasideans, had still carried on the war against the Syrians, he was moved by a deep feeling of patriotism; he identified his family ambitions with his love for his people. But Hyrkan's attack on the plebeian scholars was a clear effort to subject the national good to that of the ruling class. In his expulsion of the scribes John Hyrkan did not limit himself to those of urban plebeian derivation, the main source of the earlier Hasidean, and later Pharisaic, pacifism. He and his associates were determined to make descent rather than erudition the qualification for membership in the ruling assembly; and hence drove from it the rural scholar, as well as his urban colleague. The Hasmonean dynasty had now definitely allied itself with the patricians, and the Sadducean party of which it was the nucleus became the spiritual heir of the pre-Maccabean Hellenism. The two groups of Pharisaic scholars, the wealthier rural class together with the humbler urban plebeians, became a united opposition. Their efforts were now directed less to win the peasantry to observe the Law, particularly in its Levitical aspects, than to wrest the power over the Temple and other religious institutions from the hands of the patrician Sadducees. The Pharisees did not break away from the worship of the sanctuary though the Sadducean priests officiated there, nor did they make any effort at rebellion. They simply intensified their propaganda and sought by educational and peaceful methods to win back their position in the community.

Josephus records that at one time the organized membership of these Pharisaic units numbered about six thousand.[27] They could not all have been residents of Jerusalem, but perhaps we may assume that at least two thirds of them were. Since the organization admitted only men, and presumably only those who were self-supporting and had families, we may take it that the 6000 affiliated members represented an actual following of 30,000 souls, of which 20,000 were residents in Jerusalem. The probable population of Jerusalem at the time was about 75,000; so that these figures imply that about one in every four city families was formally associated with Pharisaism. When we add to that number the much larger group of unorganized sympathizers which so formidable a movement always has, we can readily see that the larger part of Jerusalem's population was on the Pharisaic side of the controversy. But the directing powers of the city, its aristocracy, and the people of influence were Sadducees.

The assumption that one third, or 2000, of the members of the Pharisaic orders lived outside of Jerusalem is a liberal estimate, for while the Pharisees doubtless converted the peasants to their ideas, the tiny Jewish villages were so compact and united that formal organization inside of them was a superfluity. The strength of Pharisaism on the land could not, therefore, be judged from the numbers of organized adherents it had; every synagogue was its forum, and every prayer service its meeting. The peasant might hesitate to accept the rigorous discipline of the Pharisaic laws of purity which gave the sect its name, yet he agreed with their doctrine of resurrection, and willingly followed those customs which were not too burdensome.

How far the virus of Hellenism and aristocratic ambition had infected the Hasmonean family became evident when John Hyrkan died (104 B.C.E.) leaving the throne to his wife and the high-priesthood to his eldest son, Aristobulus. The Greek name which the new High Priest bore is unimpeachable testimony to his preference for the culture against which his family had so valiantly and successfully struggled. Hyrkan had been known among the Jews by his Hebrew name, Johanan. Even when he decided to take a foreign name in addition, he had chosen one of Persian, rather than Hellenic origin. But the new High Priest officially called himself Aristobulus, "the good adviser," and as if to emphasize his cultural leaning—Philhelene, lover of Greece.

Aristobulus's character, dominated by selfish ambition, was revealed in his first acts. Breaking with the great traditions of the Hasmoneans who had always acted as a closely knit family, he threw his mother into prison and seized the temporal power for himself. Together with the reigning Queen he imprisoned also three of his four brothers, permitting only Antigonus, for whom he had special affection, to share the administrative duties with him. When, however, slanderers denounced Antigonus to the King, the young prince was executed as a rebel.

Yet such was the paradox of Sadducism, in which loyalty to the Jewish ritual was mingled with slavish imitation of Greek culture,[28] that Aristobulus continued his father's efforts to extend the Judean boundaries, and compelled the conquered peoples to be circumcised and accept Judaism.

Fortunately, Aristobulus reigned but one year, dying at the end of it of a loathsome disease, in which his mind became disordered. His widow, Salome Alexandra, immediately released his three brothers from their bonds. In accordance with the levirate law, she married her oldest brother-in-law, Alexander Jannai, who now succeeded both to the throne and to the high-priesthood.

The new ruler pursued the policies inaugurated by his father and carried on by his brother, waging warfare almost continuously against his neighbors, and declining to give the pacific Pharisees any voice in either the religious or temporal government. The conflict between the King and the Pharisees came to a head, however, when in his brutal arrogance Alexander undertook to deride the libation of water during the Sukkot festival.[29] Angered beyond control, the assembled populace, who stood with their palm branches and citrons in their hands awaiting the ceremony, threw the fruits at the King. Alexander called out his mercenary troops, who killed six thousand people in the ensuing affray.

The riot brought the more restive element among the Pharisees into the leadership of their party, and when the King departed to carry on a campaign across the Jordan, they raised the banner of revolt in Jerusalem. Alexander, defeated in an ambush by the Arabs whom he had attacked, rushed back to the city to protect his throne. Harassed by internal opposition as well as by foreign enemies, Alexander's trained mercenaries and Jewish troops were for six years unable to quell the rebellion. Fifty thousand Jews are said to have perished in the Civil War; but the opposition, aroused to fury, would not yield. When Alexander finally begged for terms of peace they declared that they would be satisfied with nothing less than his death.

In the midst of these troubles the King died (76 B.C.E.)

and Salome Alexandra, a widow for the second time, again ruled in her own right. The new Queen immediately made overtures to the Pharisees, and promised to restore them to power in the Sanhedrin. Their leader, Simeon ben Shattah, was recalled from Egypt whither he had fled from Alexander's wrath, and was placed, in association with Judah ben Tabbai, at the head of the judicial and religious activity of the Sanhedrin, as Joshua ben Perahya and Nittai of Arbel had been during the beginning of Hyrkan's reign, more than a generation before. The high-priestly office was to be held by Alexander Jannai's eldest son, Hyrkan, while the younger son, Aristobulus, was to head the army for his mother.

The internal peace which returned to the country under the new Queen was matched by a cessation of hostilities against the neighboring princes. Such was the prosperity which this lull in the continual storms of war brought, that the later sages looked back at the reign of Salome Alexandra as a golden age. "During the time of Queen Shelemzia and Simeon ben Shattah, wheat grains grew as large as the kidneys of an ox,"[30] one of them said, with usual oriental hyperbole.

The Pharisees, now come to power, demanded much more influence and authority than they had had in earlier days. During the thirty years of suppression their partisan ideology had become crystallized and formulated. They insisted that the Temple ritual, over which they had had no authority in Hyrkan's day, be conducted in accordance with their prescriptions, that the regulation of the calendar be made a function of the Sanhedrin, and that the head of their group, rather than the High Priest, be recognized as the highest judicial officer. They enacted decrees giving formal legislative sanctions to numerous Pharisaic opinions, and even asked for summary judgment against those army chieftains and members of the Sadducean nobility who had most actively opposed them. Queen Salome was willing to grant all their requests, save those of revenge against their enemies, who had incurred their anger in the service of her house.

Such was the power of the Pharisees over the government that they prevented it from carrying on those foreign wars which had been the pride of the Hasmonean house since its foundation. Aristobulus did indeed undertake an invasion of Damascus, but unsupported from home he achieved nothing. When Tigranes, King of the Armenians, threatened attack on the country, the pacifist government, casting aside the military traditions of the dynasty, openly bribed him to desist. We may imagine with what chagrin conquerors like Hyrkan and Alexander Jannai would have regarded such political defeatism.

But the good days of Queen Alexandra were destined to be short; she died at the age of seventy-three, hoping that the nine years of partisan truce which she had given the land might prove the basis for a lasting peace. But no sooner had her older son, Hyrkan, who had previously been High Priest, also taken the throne, than his warlike brother, Aristobulus, marched against him. The fraternal struggle was the more grave because it represented a real social cleavage. Aristobulus had, even in his mother's day, associated himself with the Sadducees, who admired his military spirit and enterprise, and despised the High Priest, Hyrkan, for his willing acceptance of the Pharisaic prescriptions regarding the Temple service. But the qualities which made the older brother hated by the Sadducees endeared him to the Pharisees who, by the same token, could not brook the younger militarist, Aristobulus, in whom they saw the reincarnation of their old enemy, Alexander Jannai.

When Hyrkan attempted to defend himself against Aristobulus, a large part of the army, sympathizing with the warlike militarist who had been their commander during the former Queen's life, went over to Aristobulus. The pacifist Pharisees, who preferred Hyrkan as king, were not prepared to fight for him against his brother, who had as yet done them no injury. Provided their own position in the Sanhedrin, which had been gained during the preceding reign, was untouched, it did not matter very much to them whether the older or younger son of Alexandra officiated at the Temple. Deserted by his army and unsupported by his friends, the sluggish and pacific Hyrkan offered to withdraw from the throne and the high-priesthood, provided he would be permitted to live in peace as a private citizen. The two brothers met in the Temple, where peace was concluded on these terms. "They departed," says Josephus, "the one, Aristobulus, to the palace; the other, Hyrkan, a private man, to the former house of Aristobulus."

But now the Hasmonean house was to reap the whirlwind which it sowed when John Hyrkan had conquered and forcibly proselytized the Idumeans. The time was approaching when a scion of the defeated people was to take bloody vengeance from the family which had given him occasion and opportunity. Among the friends and advisers of Hyrkan the most wily and ambitious was Antipater, an Idumean noble. He persuaded the gentle, but unwise, Hyrkan that his life was in danger in Jerusalem, and urged him to flee to Aretas, King of the Arabs, whose capital was at Petra, on the borders of Judea. Aretas, happy at the chance which came to him to put Hyrkan on the Judean throne and thereafter claim from him gratitude and, perhaps, vassalage, marched with an army to Jerusalem.

The economic interpretation of the struggle between the brothers receives support from the fact that Hyrkan and the invading army met no opposition on its entry into Jerusalem. Apparently the Pharisees and their large plebeian following welcomed him. We know from Josephus that the city's defenses were strong; indeed, a few years later when Pompey besieged it he found its position impregnable except in the north. Surely the Arabian soldiers could not have taken the city more easily than the Roman legions, had they not been assisted from within. We must assume, therefore, that the chiefs of the Sanhedrin, who were the Pharisaic leaders, advised the people to offer no resistance to Hyrkan and his allies, but to admit them. Aristobulus, helpless against the union of the men of Jerusalem with his enemies, retired to the Temple, which was strongly fortified, and where the Sadducean priests, rather than the Pharisaic scholars, were in control.

The non-resistant attitude of the pacific Pharisees was well expressed on this occasion by Honi (or, as Josephus calls him, Onias) when, being asked to pray for the invaders, he said, "O God, King of the whole world, since those who stand with me are Thy people, and those who are besieged are Thy priests, I beseech Thee not to hearken to the prayers of either party against the other."[31]

The siege was raised by the Roman general, Scaurus, a lieutenant of Pompey, to whom both Aristobulus and Hyrkan had appealed for assistance. Aretas was sent home by the Romans under threat of war if he should continue to interfere in Jewish affairs, and Aristobulus was reëstablished as King. But Hyrkan and Antipater would not be quiet, and when Pompey approached Judea they appealed to him once more for a decision in their favor. This recognition of the Roman suzerainty in Judea marked the complete reversion of the Hasmonean dynasty to the policies of the aristocratic Hellenists whom they had displaced. John Hyrkan's rejection of the Pharisees had shown that the Hasmoneans were as impatient with the plebeian scholars and Jewish culture as had been the earlier high-priesthood. But at that time they had still retained, by sheer inertia, the warm nationalism which their forefathers had inherited from the country environment. The internal quarrels and personal rivalries had destroyed this last vestige of idealism in them. The conversion from patriotism to opportunism becomes painfully evident as we read in Josephus of the policy pursued by Aristobulus in this critical time. His wavering decisions remind one of Isaiah's description of Ahaz's actions under similar conditions: "And his heart, and the heart of his people, shook, as the trees of the forest shake in the wind." He was continually alternating between the warlike advice offered him by the war-hungry squireage and the caution urged by his own self-interest and the foremost of his fellow-patricians. His wife, we learn from Josephus, was an ardent lover of Rome, and believed that Judea should voluntarily submit to its yoke; many others must have agreed with her. In his indecision Aristobulus committed blunder after blunder, and was finally driven to seek refuge in Jerusalem. But when the Roman army encamped at Jericho and was about to undertake a march against the city, Aristobulus's heart failed him and he appealed to Pompey, offering bribes, homage and admission to the city. Thereupon Pompey sent one of his generals, with Aristobulus, to Jerusalem to receive the promised gifts and capitulation; but as the Romans, with Aristobulus, approached Jerusalem, the soldiers within closed the gates against them, renouncing the peace terms which their King had accepted.

Pompey, enraged at this treatment, imprisoned Aristobulus and proceeded toward the capital. According to Josephus, "Some thought it best to deliver the city to Pompey, but Aristobulus's party exhorted them to shut the gates because he was held in prison." Clearly the followers of Aristobulus, who had failed before to persuade the citizens of Jerusalem to protect their city against Hyrkan, sought to move them by the argument that the present invader was a Roman, a heathen. But the pacifist populace of Jerusalem admitted Pompey without a blow. It was only the Temple area that he, like Aretas, had to besiege, and its walls and towers that he took by storm. We are not to suppose that the civil population of the city was less brave or patriotic than the priests. It was rather that they saw no occasion or justification for the war. The Sadducean priests were ready to defend themselves like the Spartans at Thermopylae; the Pharisaic citizenry would gladly have died for the Law, but refused to give up their lives for national independence.

Pompey, having robbed the Temple, massacred his enemies, and taken many captives, reinstated Hyrkan as High Priest and ruler of the people, but without the title of king. Aristobulus and his two sons were carried off to Rome. One of them, Alexander, escaped on the way, and came back to Palestine to rebel against Hyrkan II and the Roman rule. The Roman proconsul of Syria defeated him easily, but took the opportunity to reorganize the government of the country, dividing it into five districts, each with a presiding council of its own. Through this division the political power of the central Sanhedrin was destroyed and, it was hoped, the possibility of united action in the country was ended.

Hyrkan and the high-priestly aristocrats were convinced that the independence of Judea was lost and that their interest and future lay in open sympathy with Rome. During the conflict between Pompey and Caesar which broke out in the year 49 B.C.E., Hyrkan prudently urged support of Caesar. He actually sent three thousand men into the field with him and exhorted the Jewish population in Alexandria to side with the Roman against Ptolemy. Caesar gratefully rewarded Hyrkan with the title of Ethnarch and reëstablished the unity of the country. But the patriotic lower priesthood and the country gentry remained dissatisfied, particularly because Caesar also granted a special position of political power to Antipater the Idumean and his two sons Herod and Phezael. After the battle of Philippi (42 B.C.E.) when Antony became master of the Near East, the Jews sent a delegation to him opposing the Idumean rulers. But Hyrkan defended them before Antony and they were confirmed in their power.[32]

When, however, Antony fell a victim to the charms of Cleopatra, the Parthians, who seized this opportunity to invade Syria and Palestine, placed Antigonus, the son of Aristobulus, on the Judean throne as King and High Priest. Herod, appealing to Rome for assistance, was named King of the Jews by the Senate (39 B.C.E.). Proceeding to Palestine with this authority, he obtained the assistance of two Roman legions. Rural Galilee, the last stronghold of the nationalist gentry, was already then beginning to show its mettle and offered him resistance. But he speedily overcame his enemies and besieged Jerusalem. Again, as when Aretas and Pompey had besieged the city, the Pharisaic teachers advised yielding. But Antigonus had prepared himself for emergency and prevented the surrender. After a siege of five months, Herod and his Roman followers took the city by storm and put an end to the Hasmonean dynasty and their claims. Thereafter Judea, nominally independent under an Idumean ruler, was actually in bondage to Rome.

The fraternal wars of the Hasmoneans, their abject surrender to the Romans, and finally their treacherous betrayal of the Jewish cause, when they defended Antipater, proved conclusively that they had ceased to be patriots, and had become pure assimilationists, like the Hellenists whom they had supplanted. It was inevitable that this exhibition of moral and spiritual decadence by the once exalted family, who were the center of the Sadducean nobility, should strengthen the morale and increase the numbers of the Pharisaic opposition to them. What had happened in the days of Elijah thus repeated itself: the group which had come into power on the platform of nationalism had betrayed its cause and compelled the patriotic peasants to join hands with the cosmopolitan townspeople in increasing numbers.

This fact, together with the arrangement for bi-factional control which had been traditional in Pharisaism from the beginning, ultimately brought about a fissure in the Order. The provincial group and their representative scholars became the School of Shammai; the townspeople, and their sympathizers, the School of Hillel.[33] But while the opposition between the factions became permanent, and sometimes even attained bitterness, it never led to sectarianism. Hillel and Shammai, like their disciples Gamaliel I and Akabiah ben Mahalalel, R. Simeon ben Gamaliel I and R. Johnanan ben Zakkai, R. Eliezer ben Hyrcanus and R. Joshua ben Hananya, R. Ishmael and R. Akiba, recognized each other as true Pharisees, devoted to the fundamental principles of their society and unshakable in their loyalty to it.[34]

And thus the conflict which had begun in the earliest days of Israelitish history entered on a new and final phase. The struggle between the followers of God and the worshipers of Baal, the class-conscious militarist and the egalitarian peace-lover, the aristocratic Hellenist and the democratic Hasid, the nationalist Sadducee and the universalist Pharisee, was now to assume the form of an academic, deliberative and juridical discussion among the leading scholars of the Pharisaic Order.

The common interest of the contending groups in the advancement of Jewish learning, in the search for truth, and the universal recognition of God and His Law, engendered in each of them a respect for the other which was without precedent in the annals of Palestinian, or indeed any other, social conflict. For centuries sages assembled to discuss every aspect of human life — religious ceremonies, civil and criminal law, philosophical and theological concepts, political ideals, daily manners, and even questions of science, art, and daily amusement. For no less than three hundred and fifty years, from the origin of the Pharisaic Order about the middle of the second century B.C.E., until the Roman rule had destroyed the class conflict by reducing the whole population to a common misery (about the end of the second century C.E.), the discussions continued. The sages found themselves in almost continual disagreement with regard both to their general outlook and the detailed applications of their principles.

Curiously enough, this division of opinion did not interfere with popular respect for the Pharisaic teachers. Throughout Palestine, and indeed even in the diaspora, in Babylonia, as well as in Egypt and in Rome, the words of the Pharisaic scholars were accepted as authoritative interpretations of the Laws of Moses. "If you were not Theodotus the Physician," wrote the president of the Conclave to a Jew in Rome who was noted for his piety as well as for his learning, but who had acted contrary to the ruling of the Conclave in one matter, "I should declare you excommunicate!"[35] And similarly, when some Palestinian emigré scholars attempted to regulate the calendar from Babylonia, their colleagues in Palestine suppressed the effort without difficulty.[36]

But the Pharisaic scholars were leaders not only for their own generation; to this day their decisions affect the lives of millions of Jews all over the world. Talmudic scholars have, of course, always known that the decisions of the Conclave were by no means unanimous; and are able to follow the arguments used by the opposition as well as by the majority. Yet in civil litigation and in ceremonial regulation, involving losses of considerable sums, and at times severe hardships, the view which prevailed in the Conclave or emerged as authoritative under the general rules of talmudic codification has been accepted as binding.

No litigant who has been enjoined to pay damages in accordance with the view of R. Meir has announced that he adheres to the views of R. Judah, for instance; and no observant scholar would prepare his meat in accordance with the lenient views of R. Jose the Galilean, when the prevailing opinion was otherwise. Interpretations have been changed, but only by universally recognized scholars, whose opinions are themselves binding on all the people of their generation.

The authority which thus attached to the ancient Conclave made it a Jewish Senate, of the same type but of far greater significance in the course of history than that which met at Rome. No wonder that the founders of the Christian Church realized the need for establishing some such institution in their midst, and almost from the beginning met in council in Jerusalem, when difficult problems arose to perplex them.[37]

The ancient Conclave which thus became an integral part of Christianity disappeared, however, from Judaism. With the spread of rabbinical scholarship to the ends of the earth, assemblies of all or even a majority of the learned men of any generation were no longer feasible.

And yet the essential unity of the Pharisaic interpretation of the Law has been preserved. Bitter controversies have arisen between different communities, and also between individuals, with regard to the correct interpretation of the Law. But rabbinic Judaism, the first-born child of Pharisaism, remains a unit until this day.

The feat of maintaining such unity amidst the wide diversity of personal opinion and local environment has been achieved through the establishment of an institution which has replaced the ancient Conclave: the consensus of scholarship. This has practically the same significance in Judaism as it has in science and in the humanities.

Without establishing any formally recognized authority or hierarchy, the rabbinic teachers of each generation tend to agree on a common interpretation of Scripture and Talmud and generally look to one or two among themselves as the foremost guides in legal decisions.

It was by this mode of common consent — expressed in no formal vote or plebiscite — but simply spreading among the teachers and the people, that the Babylonian Talmud has been accepted as more authoritative than that of Palestine; that such teachers as Rabbenu Gershom (ca. 960–1040), Rashi (about 1040–1105), Alfasi (1013–1103), Maimonides (1135–1204) and Caro (1488–1575) became definitive interpreters of rabbinic Judaism. Perhaps the latest in this long chain of teachers who have given form to rabbinic Judaism in each generation was that famous scholar-statesman, Isaac Elhanan Spektor (1817–1896), the rabbi of Kowno, in Lithuania, during the latter part of the nineteenth century.

This consensus of scholarship does not mean that rabbinic Judaism as at present observed is altogether uniform. There are wide differences of practice among Jews of various regions of the world and almost a score of different forms of the synagogue prayer ritual. The best known are those of Ashkenaz or Germany, used also by the Jews of Austria, Poland, Lithuania, Russia, and Eastern Europe generally; and Sepharad or Spain, still used by the descendants of the Jews who were expelled from that country in 1492.

But the differences between communities involve far more than the forms of prayer. The Jews of Palestine observe the festivals only on the dates set for them in Scripture; those of the diaspora observe an additional day for each festival, save the Sabbath and the Day of Atonement. There are different attitudes with regard to what is to be regarded as leavened food and therefore forbidden on the Passover; there are different observances with regard to the separation of milk and meat foods; there are different marriage and funeral customs; and there are even slight differences in the manner of the observance of the Sabbath and the festivals. But these variations are themselves recognized and regulated by the consensus of opinion.

The manner in which this unity of the faith has been preserved, without any attempt to impose uniformity on various groups, reminds us of the tolerance which was one of the fundamental characteristics of Pharisaism from its origin. The phenomenon indicates, as do the histories of modern science and liberal scholarship in their special fields, how easy it is for free men to follow their trend of thought and at the same time to coöperate in the achievement of a common spiritual goal, without any of the limitations implied in formal organizations. Perhaps it also suggests that the contribution of Pharisaism to the world, unique as it has been, is still incomplete; and that its most important influence on world thought is yet to be exerted. Far more of its ethical teachings than have thus far been made available to western thought lie hidden in the great tomes of the Talmud and its kindred works. As they are studied by minds trained in western literary technique and faced with new world problems, these volumes will be found to contain a more profound understanding of human values and human potentialities than any of us dares imagine.

We can all see today how the shadows that fell on the world with the decay of ancient Rome were dispelled, in part at least, through the light that came from Palestine; is it not possible that the teachings of the prophets have been preserved in unaltered form, and at such great sacrifice, because they have still a greater purpose to serve during the years of mingled darkness and light, which are before us in the reconstruction of Western Civilization?

ABBREVIATIONS

AJSL	*American Journal of Semitic Languages and Literature*
HTR	*The Harvard Theological Review*
HUCA	*Hebrew Union College Annual*
JBL	*The Journal of Biblical Literature*
JQR	*The Jewish Quarterly Review*
MGWJ	*Monatsschrift fuer Geschichte und Wissenschaft des Judentums*
Palaestinajahrbuch	*Palaestinajahrbuch des deutschen evangelischen Instituts fuer Altertumswissenschaft des heilingen Landes zu Jerusalem*
REJ	*Revue des études juives*
ZAW	*Zeitschrift fuer die alttestamentliche Wissenschaft*
ZDMG	*Zeitschrift der deutschen morgenlaendischen Gesellschaft*

APPENDIX A

The Unity of Isaiah 40–66, and the Place and Date of the Author

The study of Deutero-Isaiah, like that of Ezekiel, has today reached a critical stage. The analytical studies of Gressmann (*ZAW*, XXXIV, 1914, p. 254 ff.), L. Koehler (*Deuterojesaja, stilkritisch untersucht*), and S. Mowinckel (*ZAW*, XLIX, 1931, p. 87 ff.) have now been followed by the masterly and careful investigation of W. Caspari (*Lieder und Gottesspruche der Rueckwanderer*), for whom they prepared the way. They have all proceeded on the assumption laid down by Duhm in *Das Buch Jesaia* that the only part of the book which can be called Deutero-Isaiah consists of chapters 40–55. The remainder of the work is assigned either to a third prophet, Trito-Isaiah, or to a group of writers.

This view is also adopted by P. Volz (*Jesaia II*, *uebersetzt u. erklaert*, in Sellin's *Kommentar*).

The unity of the book attacked by these scholars has, however, found two vigorous and able defenders in Ludvig Glahn, whose work *Hjemkomstpropheten* published in Danish in 1929, appeared in German translation in 1934 under the title, *Der Prophet der Heimkehr*, Kopenhagen-Giessen, and more especially in C. C. Torrey, who includes in the work of the Second Isaiah also chapters 34 and 35 (*The Second Isaiah*, New York, 1928).

Torrey's work is of especial interest because it is not only in his conclusion that he disagrees with his opponents; he differs from them in his whole approach to the subject. He sees in the Second Isaiah a prophet who developed his thought in a series of consecutive addresses, the logic of which can be followed from chapter to chapter. Indeed, he points to several instances where successive chapters apparently discuss different phases of the same general subject.

Even Mowinckel and others, however, who maintain that the work is to be divided either among two or more prophets, or is the product of a "school," admit that there is much to be said regarding the similarity of style and thought between chapters 56–66 and 40–55 (see Mowinckel, op. cit., p. 252, n. 1). What leads these scholars to divide up the work are the obvious differences of mood between the first and second part of the work. But in stressing the significance of these differences, both the creators of the compilation theory and those who hold to the doctrine of a Third Isaiah fail to take cognizance of the versatility which is one of the main characteristics of the genius of Deutero-Isaiah. He was one of the few men in whom passion is combined with intellectual freedom; he could see each question in all its facets, and when he felt that he had overstated his side of the question made haste to restore the balance with another address clarifying the issue (see ch. XVIII, note 32). From such a genius one would naturally expect differences of approach and expression which might suggest difference of authorship. So a comparison of *Hamlet* or *Macbeth* with *Two Gentlemen of Verona*, might suggest that they could not both be the product of Shakespeare's pen. Yet they were. Not indeed, as we now know, from the same period; but certainly from the same personality. And it cannot be denied that the similarity of style and approach between the most dissimilar parts of Isaiah 40–66 is greater than that between the later tragedies of Shakespeare and his first comedies.

In addition to this vital difference in interpretation, there arises the question of the date of the author of whatever chapters are assigned to Deutero-Isaiah. Most writers adhere to the older belief that he spoke about the years 546–538 B.C.E. and is the prophet of the exile; Torrey insists that he belongs to the fourth century.

Finally, there is wide disagreement concerning the home of the prophet. Duhm (op. cit., p. 15) and A. Causse (*Les Dispersés d'Israël*, Paris, 1929, pp. 34 ff.) place him in Phoenicia; others, in Egypt (H. Ewald, *History of Israel*, English translation, London, 1874, V, p. 42; Hoelscher, *Geschichte der israelitischen Religion*, p. 123; and even more definitely in *Die Propheten*, p. 321); still others, in Palestine itself (Mowinckel, op. cit., p. 244, note 1; Torrey, op. cit., p. 53 ff.; W. H. Cobb, in *JBL*, XXVII (1908), 48 ff.; J. A. Maynard, ibid., XXXVI (1917), pp. 213 ff.; Buttenwieser, ibid., XXXVIII (1919), p. 94 ff.; G. Dahl, ibid., XLVIII (1929), p. 374), a view which, as stated in the text, I share. Indeed, it seems to me that the following considerations for his Palestinian environment are irrefutable. How could anyone living in the exile say to his fellows: "Depart ye, depart ye, go ye out from thence; touch no unclean thing; go ye out of the midst of her; be ye clean, ye that carry the vessels of the Lord"? (52.11). To whom was the prophet speaking when he said: "For your sake have I sent to Babylon and will bring all of them down as fugitives"? Why does the Second Isaiah conceive of his omnipresent God as "sending" to Babylonia? Was he a henotheist believing God's presence limited to Palestine? Is it not obvious that the expression is used because Isaiah himself was in

Palestine, and Babylonia was far away from him? The people of whom he speaks as "them" are not his hearers, for *they* resided in the Holy Land, but the exiles, on the Tigris and the Euphrates, which he had never seen. It is to them he calls, in notes clearly modulated to carry across the desert, and not addressed to his immediate audience: "Go ye forth from Babylon, flee from the Chaldeans" (48.20).

His scenic background is Palestinian rather than Babylonian. The low Mesopotamian valley could hardly suggest that the announcer of good tidings "go up into the mountain" (40.9). Only a native Judaite, knowing the lack of water which is the main peril of the hill country, would promise as part of the new order, "I will open rivers on the high hills" (41.18). The prophet must have seen herds of sheep and goats, such as the modern traveler still meets on the rocky slopes of Judea, to say: "They shall feed in their ways, and in the high hills shall be their pasture. They shall not hunger nor thirst, neither shall the heat nor the sun smite them" (49.9).

The prophet is altogether unaware of the true conditions of his exiled countrymen in Babylonia. He believes that Babylonia laid its yoke very heavily on the aged (47.6) and that the Judaites were beaten and spat upon (50.6). No wonder that he expects a flood of immigrants as soon as Cyrus opens the gates of Palestine to these "captives." Little did he understand that more than half of the exiles had so firmly established themselves in the economy of the new land that return was practically impossible for them.

The contempt and derision which he pours over Bel and Nebo do not necessarily indicate Babylonian nativity. He saw these idols worshiped at the governor's court in Mizpah and in the soldiers' camps throughout the land. Perhaps he knew of some pusillanimous Judaites who had also accepted them, wishing to win the favor of the reigning Chaldeans.

Nor are the arguments from the similarity, or supposed similarity, between his text and that of the cuneiform inscriptions convincing (see, e. g., R. Kittel, in *ZAW*, 1898, p. 149 ff.; Stummer, in *JBL*, XLV (1926), p. 171 ff.; A. Jeremias, *Das Alte Testament im Lichte des Alten Orients*, p. 684 ff.; A. Jirku, *Altorientalischer Kommentar zum Alten Testament*, p. 202 ff.; L. Duerr, *Ursprung und Ausbau der israelitisch-juedischen Heilandserwartung*, p. 125 ff.). Many of the similarities are purely accidental; others do not depend on life in Babylonia itself, but could result from intimate acquaintance with imperial affairs even by a cultured and well-traveled provincial.

APPENDIX B

The Meaning of Ezekiel 1.1–2

The interpretation of these verses which I have accepted, namely that the "thirty years" of verse 1 date from the discovery of the Law and the reformation under Josiah is the most ancient and natural one. It is accepted by Targum, ad loc.; *Seder 'Olam Rabba*, ch. 26, ed. Ratner, 58a; Jerome, in his commentary; and in modern times, Graetz, *Monatsschrift*, 1874, p. 518; Herrmann, *Ezekiel*, p. 10. Duhm, followed by Hoelscher, *Hesekiel*, p. 44, suggests that the era intended counted from the supposed beginning of the exile. The midrashic copyist who added the date, according to these scholars, remembered that Ezekiel had promised the restoration of Judah within forty years (4.6); and bearing in mind that the total length of the exile, according to Jer. 25.11, was to be seventy years, took it for granted that Ezekiel began to prophesy in the thirtieth year of the exile. More recently a number of commentators have suggested that the "thirtieth year" was of Ezekiel's own age (so K. Budde, in *JBL*, L (1931), p. 28; Kugler, *Von Moses bis Paulus*, p. 192; J. A. Bewer, in *AJSL*, L (1934), p. 98; and O. Eissfeldt in *Palaestinajahrbuch*, XXVII (1931), p. 66, note 1). Torrey, declaring the work to be pseudepigraphic, supposes that the writer intended to date it by the thirtieth year of King Manasseh. Others have attempted to emend the text, reading thirteen (from the reign of Nebuchadnezzar, Rothstein, Bertholet) or third (from the exile, Herntrich). During the past few years, the opinion has been gaining ground that "the thirtieth year" is really the last date in the book, following the "twenty-fifth year" by which chapter 40 is dated. This suggestion has been put forward in varying forms, by Merx, *Jahrbuecher fuer Protestantische Theologie*, IX, p. 73; Berry, *JBL*, LI (1932), p. 55; Albright, ibid., p. 96; S. Spiegel, *HTR*, XXIV (1931), p. 289. Another explanation, which apparently is gaining ground, is that put forward by Begrich (*Die Chronologie der Koenige von Isr. und Juda*, p. 206 f.) and accepted by Cooke in his Commentary on Ezekiel (p. 4), that the two dates are really identical, but represent the different traditions and calculations followed in Kings and Chronicles.

All these writers admit, however, the difficulties in the way of accepting their suggestions and justify us in endeavoring to study the question anew. The verses as they now stand read:

"Now it came to pass in the thirtieth year, in the fourth month, in the fifth day of the month, as I was among the captives by the River Chebar, that the heavens were opened, and I saw visions of God. *In the fifth day of the month*, that is the fifth year of King Jehoiachin's captivity, the word of the Lord came to Ezekiel, the son of Buzi the priest, in the land of the Chaldeans by the River Chebar" (Ez. 1.1–3).

In undertaking to explain the passage, it seems to me that we must not only reconcile the contradiction between the dates, but the curious repetition of the words, "in the fifth day of the month," which I have italicized. Their repetition is especially remarkable because the glossator (if it were a glossator who repeated the words) did not take the trouble to copy also the number of the month, as we should expect.

There can be little doubt that if the text before us were an ordinary Ms., we should be inclined, at first glance, to suppose that the words "that is the fifth year," etc., come from a marginal annotation, which began with a repetition of the words "in the fifth day of the month," to which they were attached; and that catchword and gloss were both taken over into the text by subsequent copyists.

The reasons for rejecting such an hypothesis with regard to the present text are clear:

1. No glossator, unless he was a contemporary of Ezekiel— and such an early glossator is unlikely — could possibly have known the exact date of Ezekiel's first prophecy, since the original date does not mention the time from which it is counted.

2. The number, "in the fifth year of King Jehoiachin's captivity," corresponds to the other dates given in the book (Ezek. 8.1; 20.1; 24.1; 26.1; 29.1; 31.1; 32.1; 40.1) all of which are reckoned from Jehoiachin's captivity.

3. It would be most natural for Ezekiel to date his prophecies by the years of Jehoiachin's captivity, the most important event in the prophet's own life.

4. No motive could be put forward for any glossator adding the words "the fifth year of King Jehoiachin" to the date; but various motives suggest themselves for the addition of the words the "thirtieth year" by a glossator.

These reasons, present in the minds of the commentators who dealt with the subject whether they were explicitly mentioned or not, are doubtless cogent; and compel us to accept the words, "in the fifth year of King Jehoiachin's captivity," as the original date of the prophecy.

But if the original dating of the book was that now found in verse 2, "in the fifth day of the month, that is the fifth year of the exile of King Jehoiachin," how does it happen that the month is omitted there and placed in the first verse?

The question has only to be put for the answer to suggest itself. The writer who put verses 1 and 2 in their present form wanted us to believe that verse 2 is an explanatory gloss to verse 1, and that is why he repeated the words "in the fifth day of the month," as a scribe might do when he is adding a marginal note into the text. The reason for his desire to make us think what was in his original text to be a marginal gloss has to be analyzed and studied to be understood.

Before we can do so, however, we must answer another question. Who wrote verses 1 and 2?

The answer can only be tentative. I believe, in view of what is said in the text, that the book of Ezekiel was revised by the prophet himself in his old age, when he had changed his views on some important questions which he had discussed and written about.

The answer to the main question, however, is less difficult. The reviser foresaw the interpretation which would be put on the combination of vv. 1 and 2 by people of his own and following generations. He realized that they would calculate backward from the fifth year of Jehoiachin's reign, and arrive at the eighteenth year of King Josiah, the year of the discovery of the Law, and take it that since he mentioned no other era, it was from the discovery of the Law that he was counting his thirty years. And, indeed, so far as the earlier Jewish tradition is concerned, he foresaw correctly, as has already been noted.

Since the original text was dated in the "fourth month, the fifth day of the month, in the fifth year of King Jehoiachin's captivity," he decided to add the altogether unnecessary note that this was the "thirtieth year" after the reformation. And then, to intensify the effect of this identification, he made the "thirtieth year" the principal date; and reduced the original reference to the fifth year of King Jehoiachin to an apparent gloss.

Why, it may be asked, however, did he not explicitly mention the event from which he was counting his era?

To have done so would have defeated his purpose. For it was his thought not merely to indicate that *he* counted his years by Josiah's Reformation, but that that was the normal period from which Judaites should count their era, after the destruction of their kingdom.

This type of teaching truths by innuendo and hinting at them may seem somewhat strange to moderns, but was characteristic of Ezekiel and a whole group of later writers, including the authors of the Book of Jubilees, Judith, the Testaments of the Twelve Patriarchs, and even such biblical works as Jonah, Ruth, etc., which have been discussed in the text.

APPENDIX C

Additional Controversies between the Sects

Besides the controversies mentioned in the text, there are some others which are well authenticated, and a number for which evidence has been adduced by various scholars. They are as follows:

- I. The Authenticated Controversies.
- II. Controversies mentioned in ancient records, but of doubtful validity.
- III. Controversies attributed to the sects by modern scholars.
- IV. A Controversy wrongly described as Sadducean.

I. The Authenticated Controversies

A. The Mishna, Yadayim, 4.7, records that there was a controversy between the sects regarding the purity of the *nizzok*. The precise meaning of this word has, however, been the subject of considerable discussion. The commentators explain that it is a stream of water; and that the Sadducees maintained that when a liquid is poured from a clean into an unclean vessel, the stream of water joining the two vessels carries the uncleanness from the lower one into the upper one. The Pharisees denied this. This interpretation, which is found in all the ancient commentaries, is based on a comparison of Mishna Yadayim with Mishna

Makshirim, 5.9; and is accepted by Professor L. Ginzberg (*Eine unbekannte juedische Sekte*, p. 77). Nevertheless it presents grave difficulties, which have caused it to be rejected by a number of other scholars. The most important of these is the interpretation of the rejoinder made by the Pharisees in the argument which has been preserved on the question (Mishna Yadayim, loc. cit.). According to the record, "The Sadducees said to the Pharisees, We cry out against you, Pharisees, that you declare the *nizzok* pure. The Pharisees replied, We cry out against you, Sadducees, that you declare a stream of water which comes through a cemetery pure."

It is difficult to see how the answer of the Pharisees bears on the remark of the Sadducees. Professor Ginzberg maintains that the Pharisees argue that since all agree that water cannot become impure when it is "attached to the soil," it cannot take impurity from one vessel to another. But it is clear that such an argument is far from cogent. The difficulty led Geiger, in *Urschrift*, p. 147, to declare the whole controversy allegorical. According to him, the controversy really represents a political argument between the Herodians, whom he mistakenly identifies with the Sadducees, and the Pharisees. "You maintain," he makes the Herodians say, "that the impure descendants (the later Hasmoneans) are to be accepted as worthy because of their noble ancestry." The Pharisees reply, "You declare the stream which comes from the cemetery, pure," which is as much as to say, "Did not the dynasty of Herod attain the throne over the bodies of its opponents?" Leszynsky, *Die Sadduzäer*, p. 38 ff., interprets *nizzok* as honey. Zeitlin, *JQR*, N. S. VIII (1917–18), p. 67 ff. maintains that the discussion concerns the liability of vegetables to become impure while they are attached to the soil. I still believe as I did in 1929 (see *HTR*, XXII, p. 217) that *nizzok* means "aqueduct." The Pharisees held that water brought by an aqueduct was "pure" and fit for immersion; the Sadducees denied this. When the Pharisees were taunted for leniency by their opponents, they replied that the Sadducees permitted the use of water which is taken in an irrigation canal through a cemetery, showing that so long as the water remains attached to the soil it remains fit for the purposes of purification. They felt that they might justly infer from this that an aqueduct built into the ground would not prevent the water drawn in it from being used in a pool of purification (*mikveh*). I cannot, however, accept the interpretation of Ch. Tschernowitz (*Toledot Ha-Halakah*, II, 2, p. 289) that *nizzok* refers to water poured over the body. In order to maintain this curious view, he is compelled to resort to a violent emendation of the text of the Mishna, without any justification except that the new reading fits his theory.

B. There was a considerable difference between the sects regarding the law applying to a woman "with a flow"; but the details of this controversy are no longer clear (see Mishna, Horayot, 1.3, and compare Babli, ad loc., 4a; and also Mishna, Niddah, 4.2, which indicates that the sects disagreed also with regard to the law of menstrual impurity; for further discussion, see Ginzberg, *Eine unbekannte juedische Sekte*, pp. 30 and 226, where he shows that Ps. Solomon, 8.12, also attacks the Sadducees for their violation of the Pharisaic rules about these matters; the material is collected in Strack-Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrasch*, V, p. 348.

C. A discussion between a Sadducee and Joshua Ha-Garsi (B. Shabbat, 108a) indicates a disagreement regarding the use of the skins of unclean animals for phylacteries. (With regard to this controversy see Leszynsky, *Die Sadduzäer*, p. 46, who denies that the Sadducees recognized the law requiring phylacteries, and therefore interprets the passage quite differently.)

D. There was a controversy between the sects regarding the right of the priests to eat the meal-offerings brought with animal sacrifices. The Sadducees, siding as might be expected, with the priests, held that they could eat it; the Pharisees held that it ought to be consumed on the altar (*Megillat Ta'anit*, ch. 7, ed. Lichtenstein; op. cit., p. 338; cf. Mishna, Menahot, 6.2.)[1]

It is probable that the Sadducees had a *Book of Decisions*, *Sefer Gezerata*, in which the decisions rendered at least by the *Gerousia* were recorded. (So, apparently, also, Professor Ginzberg in *Eine unbekannte juedische Sekte*, p. 71.) The Pharisees, who believed in the preservation of the interpretations of the Law through oral tradition only, objected to the system of recording, as they objected also, doubtless, to many of the decisions which were included as precedents in the book. The day on which the Pharisees won the Sanhedrin to a rejection of the *Sefer Gezerata* was declared a half-holiday (*Megillat Ta'anit*, ch. 4; op. cit., p. 331).

E. Apparently there was also a disagreement between the scholars and certain sectarians, probably Sadducees, who considered it an ill omen if the High Priest, in drawing lots to decide which of the two he-goats was to be sacrificed to God and which was to be sent to Azazel on the Day of Atonement, drew the one for the sacrifice in his left hand (Yoma, 40b).

II. Controversies Mentioned in Ancient Records, But of Doubtful Validity.

A. The Talmud maintains that only the Sadducees insisted on literal burning at the stake in executions, but this may be unhistorical, since one of the cases is cited as a precedent by R. Eleazar b. Zadok, a Pharisee (Mishna Sanhedrin, 7.2; B. Sanhedrin, 52b, and see N. Bruell in *Bet Talmud*, IV, p. 7).[2]

B. The gloss in the scholion to *Megillat Ta'anit*, ch. 4, ed. Lichtenstein in *Hebrew Union College Annual*, VIII–IX, p. 331, records three more controversies between the sects. While there can be little doubt that Wellhausen (*Die Pharisäer*, p. 61) is correct in rejecting the authenticity of the passage, it is altogether probable that the opinions it attributes to the Sadducees were actually held by them. The first of the three controversies there recorded concerns the *lex talionis*: the glossator maintains that the Sadducees accepted it literally, while the Pharisees rejected it. If this is true, it is probable that the interpretation put on it by the Sadducees was identical with that given by Josephus, *Antiquities*, iv. 8.35, according to which the maimed person was permitted to fix the amount of money he would accept instead of inflicting like punishment on his assailant. This is probably also the interpretation put upon the law by R. Eliezer ben Hyrcanus (Baba Kamma, 84a; Mekilta Mishpatim, ch. 8, p. 277).[3]

C. The second controversy recorded in the Scholion to *Megillat Ta'anit* concerned the proof of virginity in cases arising under Deut. 22.13. The Sadducees are said to have taken the verses literally, the Pharisees figuratively. This is altogether probable, for the more conservative Pharisees also insisted on a literal interpretation of this verse, see Sifre, Deut. 237.

D. The third of this group of controversies, concerned the law of *halizah.* The Sadducees maintained that the sister-in-law who has been denied the levirate marriage must actually spit in the face of her brother-in-law, in accordance with a literal interpretation of Deut. 25.9; the Pharisees denied this.[4]

III. CONTROVERSIES ATTRIBUTED TO THE SECTS BY MODERN SCHOLARS

A. Geiger maintains that the Sadducees did not accept the rule which declares a woman "pure" for marital congress after the seven days of impurity for a son and the fourteen days of impurity for a daughter. His view, too, coincides altogether with what we know about the Sadducees and this controversy; but the evidence he offers to support the existence of a difference on the point is insufficient. See *Sadducäer u. Pharisäer*, p. 22; *Nachgelassene Schriften*, III, p. 316; *He-Haluz*, 5.29; 6.28 ff.; *Kebuzat Maamarim*, pp. 138 f., 163, and Ginzberg's notes to *Kebuzat Maamarim*, second edition, p. 385.

B. Geiger also maintains, quite erroneously in my opinion, that the Sadducees required the levirate marriage only from those who were "betrothed" (*arusot*), see *Kebuzat Maamarim*, p. 83, and the complete refutation in Ginzberg, *Eine unbekannte juedische Sekte*, p. 183.

C. Geiger further maintains that there was a controversy between the sects regarding the Levitical impurity of the bones and the hide of dead animals. According to him, the Sadducees, like the contemporary Samaritans and the later

Karaites, declared these impure; the Pharisees declared them pure (see *He-Haluz*, VI, p. 18; *ZDMG*, XVI, 717 f.; *Sadducäer und Pharisäer*, p. 15; *Nachgelassene Schriften*, III, 315). For a discussion of the subject, see B. Revel, *The Karaite Halaka*, p. 42, who demonstrates that the earliest Karaites did not accept the view of the impurity of the skin and bones of carcasses of animals. Cf., e. g., S. Schechter, *Documents of Jewish Sectaries*, II, p. 23.

D. Another controversy between the sects postulated by Geiger concerns the sacrifice of the paschal lamb on the Sabbath (*Sadducäer und Pharisäer*, p. 38 ff.). In order to arrive at this view, however, he is compelled (op. cit., p. 38, note 17) to identify the Bene Bathyra with Sadducean teachers, a view which is utterly without support in tradition. On the contrary, the fact that the Bene Bathyra finally submitted to Hillel when he declared that his Pharisaic masters, Shemaya and Abtalyon, had declared that the sacrifice might be offered, demonstrates that they were not Sadducees. Regarding the validity of Geiger's argument in this, see also A. Schwarz, *Die Controversen der Schammaiten und Hilleliten*, p. 17; B. Revel, op. cit., p. 41; and L. Ginzberg, *Eine unbekannte juedische Sekte*, pp. 98–99. The latter draws attention especially to the so-called Zadokite Document (ed. Schechter, in *Documents of Jewish Sectaries*, vol. I, p. 11, line 8) and the Book of Jubilees, 50.10–11, both of which apparently agree with the anti-Hillelite view. Yet neither work is Sadducean.

E. Leszynsky attempts to prove (*Die Sadduzäer*, p. 66, note 2) that there was a controversy between the sects regarding the observance of Purim. In support of his view he merely cites the fact that Purim is not mentioned in I Macc. 7.43, where the mention of the celebration of

Nicanor Day on Adar 13, the day preceding Purim, would make some reference natural. On the other hand, II Macc., which is clearly a Pharisaic work, does refer to Purim (II Macc. 15.36). Leszynsky also notes that Ben Sira in his list of the Jewish heroes makes no reference to Mordecai. Whether I Macc. can properly be called a Sadducean work is, however, open to doubt. It is altogether possible that the reason no mention is made of Purim in it and in Ben Sira is that both antedate the spread of its celebration, and perhaps the writing of the Book of Esther. It is obvious that the priests did not encourage the celebration of Purim, for they gave it no place in the Temple. On the other hand, it is altogether unlikely that the question of the observance of Purim arose early enough to become a sectarian issue.

F. Leszynsky maintains that one of the controversies between the sects dealt with the right of a scholar to "release" the vows of an individual; the extant rule permitting this was Pharisaic, according to him, and was rejected by the Sadducees (p. 48 ff.). While the evidence which he adduces as basis for this theory is inadequate, it is altogether probable from their general attitude toward such matters that the Sadducees denied the authority of scholars to release vows.

G. Aptowitzer (*Parteipolitik*, p. 31 ff.) also maintains that the legitimacy of the Davidic dynasty, which tradition derives from the marriage of Boaz with Ruth the Moabite, was a matter of dispute between the Pharisees and the Sadducees. The Sadducees, according to him, maintained that the marriage was null because of the prohibition of intermarriage with the Moabites in Deut. 21.4. The Pharisees, on the other hand, maintained that only Moabite men were prohibited to "enter the community" but not

Moabite women (Mishna Yebamot, 8.3). But the grounds which Aptowitzer advances in support of this hypothesis are entirely inadequate.

H. J. Mann, in *Jewish Quarterly Review*, N. S., VI (1915–16), p. 415, maintains that the Sadducees did not require a priest to defile himself in order to look after the burial of a *met mizvah*, i. e. an unidentified corpse. But while there may be some truth in this statement, his evidence is inconclusive (see Strack-Billerbeck, *Kommentar zum Neuen Testament*, II, p. 183; and Jeremias, *Jerusalem*, II B, p. 8).

IV. A Controversy Wrongly Described as Sadducean

The Mishna Yadayim, end, records a controversy between the Pharisees and a Galilean heretic regarding the propriety of dating ritual documents, like writs of divorcement, by the years of the Herodians and Roman rulers. While some later texts have replaced the original *min* with *Zadoki* in this passage, it is clear that the sectarian involved was not a Sadducee, but a Galilean nationalist, who opposed the recognition of the non-Davidic, and certainly of the Roman, rulers in Jewish ceremonial.

NOTES

NOTES TO CHAPTER I

[1] Of works on the biblical period, mention may be made of Karl Budde, "The Nomadic Ideal in the Old Testament," in *New World*, December, 1895; published in German, in expanded form, in *Preussische Jahrbuecher*, 1896; F. Walter, *Die Propheten in ihrem sozialen Beruf und das Wirtschaftsleben ihrer Zeit*; F. Buhl, *Die sozialen Verhaeltnisse der Israeliten*; J. Herrmann, "Die soziale Predigt der Propheten" in *Biblische Zeit-und Streitfragen*, VI, 12; J. Koeberle, *Soziale Probleme im alten Israel und in der Gegenwart*; Johs Pedersen, *Israel, Its Life and Culture*; Max Weber, *Religionssoziologie*, vol. III; R. Kittel, *Geschichte*; and *Die Psalmen* (fifth and sixth editions); Wellhausen, *Israel.-jued. Geschichte*; Eduard Meyer, *Die Israeliten und ihre Nachbarstaemme*; his *Geschichte des Altertums*, II, 2, p. 178 ff.; and his *Ursprung u. Anfaenge des Christentums*, vol. II; Abram Menes, *Die vorexilischen Gesetze Israels*, and his "Die Sozialpolitische Analyse der Urgeschichte," in ZAW, XLIII (1925), pp. 33–62; Lurje, *Studien*; Causse, *Les "Pauvres" d'Israel*; Flight, "The Nomadic Idea and Ideal in the Old Testament," in *Journal of Biblical Literature*, XLII (1923), p. 158 ff.; Hans Schmidt, *Das Gebet der Angeklagten im Alten Testament*; Mowinckel, *Psalmenstudien*, parts 1–8; Albrecht Alt, "Die Rolle Samarias bei der Entstehung des Judentums," in *Festschrift Otto Procksch*, pp. 5–28; and his *Israel und Aegypten*; Louis Wallis, *God and the Social Process*, and I. Friedlaender, "The Political Ideals of the Prophets" in his *Past and Present*. For the post-biblical and rabbinical periods, see Abraham Geiger, *Urschrift*, *Nachgelassene Schriften*, and *Kebuzat Maamarim*; Meir Friedmann in his notes and introductions to his editions of the Mekilta and the Sifre, as well as scattered articles in *Bet Talmud*; David Hoffmann, *Einleitung in die halachischen Midraschim*; G. Dalman, *Arbeit u. Sitte in Palaestina*; J. Jeremias, *Jerusalem zur Zeit Jesu*, parts I, IIA, and IIB; A. Buechler, *Der Galilaeische 'Am-ha-'Ares des zweiten Jahrhunderts*; L. Ginzberg, *Eine unbekannte juedische Sekte*; and his epochal work *Mekomah shel ha-Halakah behokmat Yisrael*; Joseph Klausner, *Historia Yisraelit*; S. Dubnow, *Weltgeschichte des juedischen Volkes*, vols. I–II; S. Zeitlin, *the Second Jewish Commonwealth*; Salo W. Baron, *A Social and Religious History of the Jews*, vols. I–III.

[2] For a definition of these terms, see below, p. 619 f.

[3] The Herodians were the aristocratic adherents of the House of Herod. They are distinguished from the Sadducees and the Pharisees (see e. g. Mark 12.13); and doubtless were the assimilationist group of their time. The Sadduceans generally remained, in all probability, loyal to the memory of the Hasmoneans, while the Pharisees, of course, were opposed to both groups.

NOTES TO CHAPTER II

[1] Mishna Shebi'it, 9.2; Ketubot, 13.10; cf. Sanhedrin, 11b.

[2] Judges 11.1 ff. and I Kings 17.1.

[3] The Morning Bathers are mentioned in Tosefta Yadaim, end, p. 684; the Water Drinkers in Mekilta, Ed. Friedmann, 60b, Horowitz-Rabin, p. 200; and the Worshipers at Sunrise in Sifre, Deut., 48. In our texts the word "*harisim*"— literally "devotees of the sun"— has been altered or corrupted into *hasidim*, "saints." But the correct reading has been recovered by Hoffmann, *Midrash Tannaim*, Introduction, p. vii, and text, p. 42. (In spite of I. N. Epstein's remarks in *Tarbiz*, VIII (1936–37), p. 378, I am still convinced, with Hoffmann, that the correct reading in Sifre Deut. 48, as well as in Midrash Ha-Gadol, ad loc., is *harisim*; and that it is merely the infrequency of the word that led the copyists to substitute *hasidim* for it in most of the texts.)

[4] Yer. Sanhedrin, 10.6, 29c.

[5] This has already been noted by Professor L. Ginzberg, in *Eine unbekannte juedische Sekte*, p. 149; cf. also G. Kittel, *Die Probleme des palaestinischen Spaetjudentums und das Urchristentum*, p. 94. Perhaps nothing illustrates more vividly their scientific approach than the manner in which they preserved variant readings of the Scripture, retaining one for the written codices, and using the other for public reading. Cf. R. Gordis, *The Biblical Text in the Making*, p. 41 ff.

[6] 'Erubin, 13b.

[7] Yebamot, 14b.

[8] L. Finkelstein, *Akiba*, p. 42 f.

[9] Ibid., 294 ff., where a full discussion and demonstration of this is offered.

[10] See Tosefta Yoma, 1.8, p. 181; Babli, ibid., 19b; Tosefta Niddah, 5.3, p. 645; Babli, ibid., 33b; Josephus, *Antiquities*, XVIII, 1.4; XIII, 10.6; and XVII, 2.4.

[11] Micah 1.9; Cf. O. Procksch, in *Palaestinajahrbuch*, XXVI (1930), p. 19 f.; G. Dalman, ibid., XI (1915), 22, 39 ff.; A. Alt, in *ZDMG*, LXXIX (1925), 15.

[12] II Sam. 24.24. For the reasons governing David's choice, see Albrecht Alt, in *ZDMG*, LXXIX (1925), 14 ff.

[13] I Chron. 21.25.

[14] Cf. Josephus, *Against Apion*, I, 22, 197; and Jeremias, *Jerusalem*, I, p. 96. See also J. Beloch, *Die Bevoelkerung der griechisch-roemischen Welt*, p. 247; J. Juster. *Les Juifs dans l'Empire romain*, I, p. 210, note 2; Eduard Meyer, article "Bevoelkerungswesen (Bevoelkerung des Altertums)" in *Handwoerterbuch d. Staatswissenschaften*, II, 898–913; Ruppin, *Soziologie der Juden*, I, p. 69; and Salo W. Baron, in *Abhandlungen zur Erinnerung an H.P. Chajes* (Hebrew section), pp. 119, 120; and his most recent work, *A Social and Religious History of the Jews*, I, p. 131. The estimate given by Richard Zimmermann in "Bevoelkerungsdichte und Heereszahlen in Altpalaestina," in *Klio*, XXI (1927), 340, seems much too modest.

[15] Compare Jeremias, *Jerusalem*, IIB, p. 68.

[16] Mishna Sukkah, 3.8.

[17] Mishna Bikkurim, 3.8.

[18] Mishna Megillah, 4.8.

[19] Yer. Ketubot, ch. 5, end, 30c; Lamentations R. 1.16(50). It is interesting to note that the Babylonian Talmud (Ketubot, 65a), which usually indulges in the most extravagant hyperbole, prefers to minimize this particular incident, and maintains that the two *seahs* of wine were intended for a whole week. This doubtless is a reflection of the fact that wine is far less common, and therefore much more expensive, in Babylonia than in Palestine.

[20] Yoma, 18a.

[21] Lamentations R., loc. cit.

[22] Yer. Ketubot, loc. cit. The dinars are, of course, silver ones. In Lamentations R., loc. cit., the story is exaggerated, and the money is fixed in gold dinars.

[23] Gittin 56a; Lamentations R., 1.5 (32); cf. Josephus, *War*, V, 1.4; Tacitus, *Hist.*, V. 12.

[24] Josephus, *War*, IV, 3.1 ff.

[25] Jeremias, *Jerusalem*, IIA, p. 10 ff.; IIB, p. 94 ff.; Max Weber, *Religionssoziologie*, III, p. 37; M. Lurje, *Studien zur Gesch. d. wirtschaftlichen und sozialen Verhaeltnisse im israelitisch-juedischen Reiche*, p. 16; cf. also my remarks in *HTR*, XXII, p. 190 ff.; and in *Akiba*, p. 28 f.

[26] Shabbat 25a.

[27] The heave-offering (*terumah*) being about two and a half per cent of all produce, and the tithe which originally belonging to the Levites was usurped by the priests, were the most important of these. See Strack-Billerbeck, *Kommentar zum N.T.*, vol. IV, 2, p. 650; and *Akiba*, pp. 83 ff.

[28] Cf. the story of Eleazar ben Azariah (Baba Batra 91a), and Jeremias, *Jerusalem*, IIA, p. 14.

[29] L. Mitteis-U. Wilcken, *Grundzuege und Chrestomatie der Papyruskunde*, I, 1, p. 268; Jeremias, *Jerusalem*, IIA, p. 14; Brentano, *Das Wirtschaftsleben der antiken Welt*, p. 10 ff. For reference in other countries to the nobility who were engaged in international trade, cf. Rostovtzeff, *Economic Life*, p. 249; Robert von Pöhlmann, *Geschichte der sozialen Frage und des Sozialismus in der antiken Welt*, I, p. 133 ff.; and Beloch, *Griechische Geschichte*, I, 1, p. 307. Solon is said to have warned the rich to desist from attempts at increase of their wealth in these words, "Calm the eager tumult of your hearts; you have forced your way forward to a surfeit of good things. Confine your swelling thoughts within reasonable bounds" (I. M. Linforth, *Solon the Athenian*, p. 135). See further with regard to the general question, Brentano, op. cit., p. 64 ff.; and consider the conditions reflected in Aristotle's *Politics*, I, 3; and Plato's *Laws*, VIII, 831; IX, 870.

[30] Mishna Eduyyot 1.3. See, especially, G. Dalman, *Jerusalem und sein Gelände*, p. 197. For a similar situation in Rome, where the heights were in general occupied by richer classes and the valleys by the poorer classes, see Fowler, *Social Life at Rome*, p. 25.

[31] Mishna Baba Kamma 6.6.

[32] Mishna Baba Batra, 6.4; Sifre, Deuteronomy 229. Cf. Bauer, *Volksleben im Lande der Bibel*, pp. 43–44; and S. Krauss, *Talmudische Archaeologie*, I, p. 43.

[33] Mishna Baba Batra 1.6.

[34] Mishna Sukkah 2.7.

[35] Lev. 23.42.

[36] Yoma 38a.

[37] Jeremias, *Jerusalem*, IIA, p. 26; cf. Matthew 20.9; Tobit 5.15.

[38] On the basis suggested in the Mishna Pes., 8.7; ʿErubin 8.2.

[39] Yoma 35b.

[40] Hullin 84a.

[41] As Professor L. Ginzberg has shown in his *Mekomah shel ha-halakah behokmat Yisrael*, p. 27, this is clear from the fact that the Hillelites require the night sheet to have fringes if it is worn by day. The richer Shammaites, among whom the use of the sheet for clothing was unknown, forbid the use of fringes on it (Mishna ʿEduyyot 4.9).

[42] Cf. the expression *ben tobim* (the son of good people) for the child of a rich man (Mishna Shekalim 5.6; Sifre Deut. 116; Ketubot 67b); the expression *yekire yerushalaim* (the honored men of Jerusalem), Mishna Yoma 6.4; and *nashim yekarot* (the honored women) in Sanhedrin 43a, and Lamentations R. 4.16 (50); the "esthetically minded" men of Jerusalem (Mishna Gittin 9.9; Sanhedrin 23a, 30a, Masseket Soferim 14.14); "the seven good men of the city" (Megillah 26a); "the great men of Jerusalem" (Abot of R. Nathan, I, ch. 16, 63a; Yer. Hagigah 2.1, 77b).

[43] Sanhedrin 23a.

[44] Lamentations R. 4.2. Cf. Luke 14.17. The Egyptian parallels are given in L. Mitteis-U. Wilcken, *Grundzuege und Chrestomatie der Papyruskunde*, I, 1, p. 419.

[45] Mishna Kiddushin 4.5; Tosefta Sanhedrin 4.7, p. 421.

[46] See A. Buechler, in *Schwarz Festschrift*, p. 135, who recognizes the connection between this habit and the opposition to the marriage between uncles and nieces.

[47] Zadokite Document, in Schechter, *Documents of Jewish Sectaries*, vol. I, p. 5, line 7. With regard to the whole question see Schechter, ad loc., who, correctly in my opinion, cites the assertion of the Book of Jubilees that the early saints married their cousins as a parallel showing the antiquity of the issue (cf. Jubilees 4.15, 16, 20, 27, 28, 33; and cf. *HTR*, XVI (1923), 54; as well as Ginzberg, *Eine unbekannte juedische Sekte*, p. 31, who cites important parallels from other sects and works; Buechler in *JQR*, N. S., III (1912–13), 485 ff.; Schechter, ibid. IV (1913–14), 455; and S. Krauss in *Studies in Jewish Literature issued in honor of Professor Kaufmann Kohler*, p. 165.

[48] Tosefta Berakot 4.10, p. 9; B. Baba Batra 93b; Lament. R. 4.2.

[49] Pesahim 113a.

[50] Tosefta Berakot 4.8, p. 9; Baba Batra, loc. cit.

[51] Ketubot 106a; Sanhedrin 43a.

[52] Regarding polygamy among the patricians of Jerusalem see L. Ginzberg, *Eine unbekannte juedische Sekte*, pp. 24, 191; J. Jeremias, *Jerusalem*, IIA, p. 8 ff.; S. Krauss, *Talmudische Archaeologie*, II, p. 27 ff.; S. W. Baron in *Abhandlungen zur Erinnerung an Hirsch Perez Chajes*, Hebrew section, p. 90.

[53] The phenomenon of a socially lower class rejecting the cultural guidance of the upper class is unique, and doubtless accounts in part for the unique quality of the whole rabbinic tradition. Cf. F. Oppenheimer, "Machtverhaeltniss", in *Handwoerterbuch d. Soziologie*, 1931, p. 343 ff.

[54] Mishna Yoma 1.3, and 1.6. For other references to ignorant High Priests see Mishna Horayot, end, and Abot of R. Nathan, I, ch. 12, 28b.

[55] Sifre, Deut. 352.

[56] Deut. 18.1.

[57] Deut. 33.11; Sifre, ad loc.

[58] A. Buechler in *Schwarz Festschrift*, p. 135 ff.; J. Jeremias, *Jerusalem*, II B, 83 ff.; S. Klein in *Jued.-palästinisches Corpus Inscriptionum*, p. 12, note 9; and in *Monatsschrift*, LXXX (1936), p. 199; Aptowitzer in *HUCA*, V, p. 290; and Marmorstein in *PEF* Quarterly Statement, 1921, p. 188.

[59] This seems to be implied in Septuagint to Lev. 21.13; it is expressly maintained by Philo, in *De Monarchia*, II, 8 and 229; cf. Ritter, *Philo u. d. Halacha*, p. 73; A. Geiger, *Hehaluz*, 5.74; *Nachgelassene Schriften*, V, p. 133; see also Pineles, *Darkah shel Torah*, Vienna, 1861, p. 199; A. Buechler, in *Schwarz Festschrift*, loc. cit., and J. Jeremias, op. cit., II B, p. 11. It is possible that one of the purposes of Hillel's Mishna (preserved in Kiddushin 4.1), giving the order of classes in Israel, was the rejection of this rule.

[60] Mishna Ketubot 1.5.

[61] *Antiquities*, III, 12.2.

[62] Mishna Ketubot 2.9; cf., however, ibid., 1.10.

[63] Ibid., 2.9.

[64] Hence the sudden emergence of *Jehoiarib* as the first of all the priestly clans (I Chron. 24.7).

[65] Jeremias, op. cit., II B, pp. 16 and 54.

[66] Pesahim 57a; Josephus, *Antiquities*, XX. 9.2.

[67] See Jeremias, op. cit., II A, pp. 13 and 24; II B, p. 69.

[68] 'Arakin 11b. For further evidence regarding the social differences between the two groups of Levites, see Josephus, *Antiquities*, XX, 9.6; and cf. Targum Ps.-Jonathan to Ex. 29.30; and also Ezra 2.40; 7.7; 10.23; Neh. 10.29. For the controversy between the priests and the Levites regarding tithes, see Otto Eissfeldt, *Erstlinge und Zehnten im alten Testament*, Strack-Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrasch*, IV, p. 656 ff.; and my *Akiba*, p. 84 ff.

[69] For modern parallels, see Bauer, *Volksleben im Lande der Bibel*, p. 9. For parallels outside of Palestine, and for the psychological significance of the opposition, see J. G. Thompson, *Urbanization, Its Effects on Government and Society*, pp. 3–38; and N. P. Gist and L. A. Halbert, *Urban Society*, p. 325 ff. See also, F. Oppenheimer, *System der Soziologie*, II, p. 345.

[70] See Skinner's note in his commentary to the passage (*Century Bible*); cf. also R. Kittel, *Geschichte*, II, 336. So also R. Gordis, in *JQR*, N. S., XXV (1934–5), 244. Cf., however, A. Menes, *Die vorexilischen Gesetze*, p. 69 ff.

[71] Isa. 5.3, et al. For another interpretation of this contrast see, however, O. Procksch, *Palaestinajahrbuch*, XXVI (1930), 38.

[72] Compare for example the extravagant statement in Lamentations R. 4.2 that a Jerusalemite who married a provincial received as his dowry his weight in gold, while a provincial who married a Jerusalemite woman had to give her her weight in gold.

[73] Perhaps it would be even better to render the expression "country-people" which conveys the same ambiguity in English as does *'am ha-arez* in Hebrew. The word *bur*, which in Mishnaic Hebrew is synonymous with *'am ha-arez* (but somewhat stronger), is likewise associated by G. R. Driver with the root meaning "outside," extended to "outside the city" and "wild, untamed, country." See *HTR*, XXIX (1936), 172; cf. also *baruta*, which is interpreted by R. Nathan ben Yehiel (*Aruk*, s. v. *bar*) as meaning "outside," and also implies "stupid." Felix Perles discovered what was probably the first reference to the *'am ha-arez* as a group opposed to the Scribes in the Psalms of Solomon, 8.23. The passage is usually translated: "(But) God hath shown Himself righteous in His judgments upon the *nations of the earth*" (Charles). Perles demonstrated, however, that the words ἔθνη τῆς γῆς are probably a mistranslation by the Greek of an original עמי הארץ. See *Orientalistische Litteraturzeitung*, V (1902), col. 335–336; and XIV (1911), col. 358. For evidence of differences between town and country in Hellenistic Egypt, similar in some respects to those in Judea, see L. Mitteis-U. Wilcken, *Grundzuege und Chrestomatie der Papyruskunde*, I, 1, p. 421. It is noteworthy that the term *agroikos*, literally "peasant," developed in Greek practically the same connotation of brutishness as the Hebrew *'am ha-arez* (see Heitland, *Agricola*, p. 117).

[74] Mishna Abot, 2.5. Special interest may perhaps attach to the differences in manner between the scholar and the *'am ha-arez* cited by R. Benaiah, in reply to a question of R. Johanan (B.B. 57b). According to R. Benaiah, the scholar is more modest in his clothes, as well as more orderly in his household arrangements. "How can the bed of a scholar be recognized?" R. Johanan asks, finally. "It is a bed which has under it only sandals in the summer and shoes in the winter. The bed of the *'am ha-arez*, however, looks like a confused treasure house!"

[75] Num. ch. 19.

[76] Compare Katzenelson in *MGWJ*, XLIII (1899), pp. 1 ff., 97 ff., 193 ff.; XLIV (1900), 385 ff., 433 ff.

[77] Lev. 15.1 ff.

[78] Mishna Pesahim 5.5.

[79] Cf. Num. 18.21 (First Tithe); Deut. 15.22 ff. (Second Tithe).

[80] S. Krauss, *Talm. Archaeologie*, II, p. 164; G. Dalman, *Arbeit u. Sitte in Palaestina*, II, p. 32; Vogelstein, *Landwirtschaft zur Zeit d. Mishna*, p. 10 ff.; J. Wellhausen, *Skizzen und Vorarbeiten*, III; *Reste arabischen Heidentumes*, p. 170; Smith-Cook, *Religion of the Semites*, p. 534.

[81] See Tosefta Shabbat, chs. 6(7), and 7(8), p. 117 ff. Compare also *Akiba*, p. 178 ff.

[82] Deut. 6.8; 11.18.

[83] Berakot 47b.

[84] Mishna Hagiga, 3.4.

[85] The Order Tohorot: "Pure Things."

[86] Hagigah 25a; Niddah 6b, according to the report of Ulla (ca. 300 C.E.), who says, "our colleagues purify themselves in Galilee." The interpretation of Rashi, according to which the Galileans prepared animals in purity in anticipation of the possible arrival of the Messiah, is unacceptable; but even if it be accepted, it implies the purity of the people, and hence the use of the ashes of the "red heifer."

[87] Berakot, loc. cit.

[88] Brentano, *Das Wirtschaftsleben der antiken Welt*, p. 72 f.; see especially note 1 on p. 73. Compare also below, p. 48.

[89] Pesahim 49b.

[90] Ibid.

[91] For a discussion of the subject see, e. g., F. Oppenheimer, *System der Soziologie*, II, p. 345 ff.; C. A. Beard, "The City's Place in Civilization," in *American City*, vol. XXXIX, No. 5, 1928, pp. 101–103.

[92] Both scholars retained their wealth after the year 70; this could hardly have happened to such nationalists without intervention. Cf. also Gittin 56b.

[93] Pesahim, loc. cit.

[94] Ibid.

[95] Ibid.

[96] Ibid. 49a.

[97] Baba Batra 8a.

[98] Leviticus R., 9.3.

[99] Pesahim, loc. cit.

[100] For the demonstration of this, see *Akiba*, pp. 17 and 320. For the general principle that the power of the nobility generally develops in the lowland, and especially on the coast, where the income from trade is joined to that from the rich soil, see M. Weber, article, "Agrargeschichte" (Altertum), in *Handwörterbuch der Staatswissenschaften*, I, 69a.

[101] M. Weber, *Religionssoziologie*, III, p. 64.

[102] G. A. Smith, *Historical Geography of the Holy Land*, 266 ff.; and see especially Josephus, *War*, IV, 8.2.

[103] The owners of the lands of Jericho were, to a large extent, priests of the upper classes; see Yer. Pesahim 4.1, 30d; B. Ta'anit 27a; and below, chapter IV.

[104] Pesahim 57a.

[105] For R. Eliezer, see e. g. Tosefta Ma'aser Sheni 5.16 (p. 96); R. Tarfon's residence in Ludd is implied in Mishna Baba Mezi'a 4.3 and Ta'anit 3.9; Hagigah 18a; Megillah 20a.

[106] W. F. Albright, *The Archaeology of Palestine and the Bible*, p. 131.

[107] Josh. 15.1 ff.; 18.11 ff. See particularly 18.22 and I Chron. 8.12.

[108] Esth. 2.5; cf. also II Chron. 11.12; 15.9; 17.17; et al.

[109] Philippians 3.5; Romans 11.1.

[110] See *Akiba*, pp. 169, 261.

[111] Sifre Deut. 352.

[112] Yer. Kilaim 9.3, 32b; Genesis R., 33.3, p. 306.

[113] Sifre Deut. 348. Cf. V. Aptowitzer, *Parteipolitik*, pp. 173 and 315. There is a similar controversy between R. Meir and R. Judah regarding the question of

who led Israel into the Red Sea. R. Meir maintains that the tribe of Benjamin sprang into the sea first, and that the princes of Judah actually threw stones at them in their anger at their having taken this precedence. R. Judah insists that the first to spring into the sea was Nahshon, the son of Aminadab, the prince of Judah (Mekilta, Beshallah, Vayyehi, ch. 5, p. 104 ff.).

[114] Mo'ed Katan 2a; cf. Tosefta, ibid., 1.1, p. 229. See also G. Dalman, *Arbeit und Sitte in Palaestina*, II, p. 42 f.

[115] I Macc. 5.15.

[116] Gittin 34b. The manager of Agrippa II's property, doubtless an eminent patrician in his own right, is said to have had two households in Galilee itself, one in Sepphoris, the other in Tiberias. In early biblical times, Gideon, living at Ophrah with most of his family, is recorded as having had a concubine, who lived in Shechem, and bore him a son, Abimelech (Judg. 8.31).

[117] S. Klein, *Beitraege zur Geschichte und Geographie Galilaeas*, p. 32 ff. The statement of R. Judah that the Galileans had "long ago written over their property to the prince" (Mishna Nedarim 5.5), may be a reminiscence of the fact that these lands originally belonged to the head of the nation and were distributed among the patricians on a feudal basis. The interpretation of the passage given in the *baraita*, B. Nedarim 48a, that the Galileans transferred their property to the Nasi, because they were prone to anger and wanted to save themselves from the effects of vows made in bursts of temper, need hardly be considered.

[118] Josephus, *Life*, 45.

[119] Mishna Baba Batra 4.7. The Mishna carefully distinguishes between the large walled city, and the ordinary unwalled city, which was in effect a hamlet. Cf. Mishna Ketubot 13.10. The Talmud fixes the normal population of a "city" at 120. (Mishna Sanhedrin, end of Chapter 1).

[120] Josephus, *Life*, 65.

NOTES TO CHAPTER III

[1] Comp. Shabbat 62b; Sanhedrin 19a; Yer. Horayot 3.5; See also S. Klein, in *Madda'e Ha-Yahadut*, I, 73 seq. and Jeremias, *Jerusalem*, II B, p. 91.

[2] Testament of Issachar, 3.5. For a similar situation in Greece, see Hesiod, *Works and Days*, Lines 695–697. Cf. *Akiba*, p. 304.

[3] Ketubot 82b; cf. Epstein, *The Jewish Marriage Contract*, p. 20 ff.; S. Zeitlin, *JQR*, N. S., XXIV (1933–4), p. 2; and see Tobit 7.14.

[4] Mishna Ketubot 1.5.

[5] Mishna Kiddushin 1.1. Mishna Ketubot 5.1 shows conclusively that the marriage contract was drawn up at the time of betrothal. R. Eleazar ben Azariah denies the right of the bride whose betrothal is annulled, to anything beyond the minimum dower, "for the husband executed the agreement only with the intention of having her as his wife."

[6] Mishna Ketubot 5.2. The expression "wedding" in English derives from a similar custom among the primitive Anglo-Saxons; wedding being the celebration

of the *wed* or pledge binding the bridegroom and the guardian of the bride to the carrying out of the marriage agreement.

[7] Mishna Ketubot 1.5. The custom may be as old as the Book of Chronicles, and the several "Matriarchal" marriages which he describes (cf. Ezra 3.61) may be intended to justify it. Cf. V. Aptowitzer, "Spuren des Matriarchats im juedischen Schrifttum," *H.U.C. Annual*, IV (1927), 10.

[8] Ketubot 12a; Tosefta, ibid. 1.4, p. 261; Yer. ibid.

[9] Mishna Baba Batra 6.4.

[10] Ketubot, loc. cit.; I do not deny, of course, that the custom may have been preserved in Judea and among the plebeians of Jerusalem from primitive times and that its origin may be due to special considerations of early times. The fact that the custom appears also in other countries would seem to indicate this (see E. A. Westermarck, *History of Human Marriage*, I, p. 205, note 3; II, p. 527; cf. also ibid., pp. 547, 550 f., 555 ff.). It seems altogether probable that in primitive times the union of the newly married couple took place as a matter of course in the tent which they shared with other members of the tribe; and that there was no sense of delicacy about the matter. Naturally, as some families grew in wealth and were able to obtain for themselves more considerable houses, they separated the newly married couple from the others, while the poorer families retained the ancient custom, rationalizing it as a means to ward off the dangerous attacks of spirits and devils. Indeed, it is a plausible surmise that the widespread superstitions about the dangers surrounding the bride and the bridegroom on their wedding night are really associated with the fact that they could not be granted the privacy which the developing sense of delicacy demanded, and some theory had to be developed for denying it to them. The continence practiced by the couple in different countries during the first nights of the wedding week may be the result of a compromise between the delicacy of the young people and the power of the rationalized custom, as well as the force of necessity, which prevented the bride and groom from separating themselves from their families and escorts. For the prohibition of conjugal relations during the first days of marriage, see e. g. Max Mueller, *Sacred Books of the East*, XXX, pp. 48, 51, 197, 267. While in Israel conjugal relations were not actually prohibited during the first days of marriage, the couple frequently refrained from them, as can be seen from Mishna Berakot 2.6. Cf. also Westermarck, *Marriage Ceremonies in Morocco*, p. 227, end. The curious Judean custom of searching the bride and groom before they entered the bridal chamber also has its parallels among other peoples; see Westermarck, op. cit., p. 228.

[11] See above, p. 41.

[12] Cf. W. R. Smith-S. Cook, *The Religion of the Semites*, p. 76; W. R. Smith, *Kinship and Marriage in Early Arabia*, p. 48 ff.; A. Bertholet, *Die Stellung der Israeliten und der Juden zu den Fremden*, p. 27 ff.; M. Sulzberger, in *JQR*, N. S., XIII (1922–23), p. 264 ff.; Johs. Pedersen, *Israel, Its Life and Culture*, pp. 40, 44. The passing of the centuries and the change of conditions has not, apparently, materially improved the situation of the family-less man or woman in rural districts, as is noted by R. M. MacIver, who remarks in his *Society*, p. 122, that "there is

little place for the man, and still less for the woman (in rural communities) whose orbit has not some family hearth as its focus."

[13] Mishna Ketubot 4.10. Cf. above, p. 43, where we have shown that the term, "Men of Jerusalem," was used exclusively for patricians. The sum of two hundred *zuz* mentioned in the text is the equivalent of about fifty dollars (1936) in actual gold value; but, of course, was considerably more in relation to purchasing power and the general standard of living.

[14] See above, ch. II, note 88. The traders of Jerusalem were especially condemned for hypocrisy, see Esther R. 1.3. For general discussions of the differences between city and country in social attitude, cf. Margaret Mary Wood, *The Stranger, A Study in Social Relationships*, pp. 204, 214, 223; P. Sorokin, *A Systematic Source Book in Rural-Urban Sociology*, I, pp. 242–8; P. Sorokin and C. C. Zimmerman, *Principles of Rural-Urban Sociology*, p. 320 ff.; P. Sorokin-C. C. Zimmerman-C. J. Galpin, *A Systematic Source Book of Rural Sociology*, I, p. 238; J. M. Williams, *The Expansion of Rural Life*, pp. 8 ff., 207 ff.; H. B. Woolston, "The Urban Habit of Mind," in *American Journal of Sociology*, XVII (1911–1912), pp. 602–14; R. E. Park, E. W. Burgess, and R. D. McKenzie, *The City*, pp. 217–225; Th. Petermann, "Die geistige Bedeutung der Grossstaedte," in *Die Grossstadt*, pp. 187–206; and most recently, R. M. MacIver, *Society*, p. 127. The use of *urbanus*, in the sense of urbane as well as urban, which testifies to a common recognition of the significance of town manners, dates back at least to the time of Cicero, who remarks in one of his letters to Appius Claudius Pulcher (*Epistolae ad familiares*, III, 8, 3), "In the first place, I never thought that you, a man not only of common sense, but also, to use the modern phrase (*ut hunc loquimur*), of culture (*urbanum*), derived any sort of pleasure from that sort of deputation."

[15] Semahot 3.6, p. 112.

[16] Ketubot 17a.

[17] Shabbat 153a.

[18] Semahot 10.15, p. 186.

[19] Ibid., 10.16. From the statement at the end, "R. Jose said, Why does one greet the bereaved in Judah on entering and on leaving? Because there is no mourning on the Sabbath day," it has been assumed that the whole *baraita* refers to greetings on the Sabbath day. But I doubt whether the text of R. Jose's statement is in order. On the other hand, there was, no doubt, a difference between the customs of Judea and Galilee regarding the offering of comfort to mourners on the Sabbath day. The Galileans, again because of their rural reserve and shyness, did not attempt to offer comfort on the Sabbath day; the Judeans did (Yer. Berakot 2.7, 5b; cf. B. Mo'ed Katan 22b). That *Darom* is Judah has been definitely shown by S. Klein in *Abhandlungen zur Erinnerung an H.P. Chajes*, Hebrew section, p. 285.

[20] J. Jeremias, *Jerusalem*, II B, p. 96.

[21] Mishna Pesahim 4.5.

[22] Felix Goldmann, *Der Oelbau in Palaestina zur Zeit der Mishnah*, p. 7; S. Krauss, *Talmudische Archaeologie*, II, 215; Loew, *Die Flora der Juden*, II, p. 289.

[23] Genesis R. ch. 20. For the difficulty of raising olives and vines in the same country, See Bauer, *Volksleben im Lande der Bibel*, p. 160.

[24] Gen. 49.20; cf. also Deut. 33.24; Sifre Deut. 355; Midrash Tannaim, ad loc., pp. 220–1; Mishna Menahot 8.3; Tosefta, ibid., 9.5, p. 526; B. ibid., 85b. The importance of the vine in Judea is testified to in Gen. 49.8 ff.; cf. also Nazir 31b.

[25] Shabbat 17a. For the probable occasion of this outburst, see *Akiba*, p. 44.

[26] Shabbat, loc. cit.

[27] See E. A. Westermarck, *History of Human Marriage*^{5}, p. 241 ff.; and cf. Judg. 21.19 ff. The "feast," par excellence, there referred to was doubtless the autumnal festival (I Kings 8.2 ff.). Cf. the discussion of the whole subject by J. Morgenstern, in *JQR*, N. S., VIII (1917–18), p. 31 ff. See also R. H. Kenett, *Ancient Hebrew Social Life and Custom*, p. 81.

[28] Mishna Ta'anit, end.

[29] This has already been noticed by A. Buechler, *Schwarz Festschrift*, p. 134.

[30] J. Morgenstern, in *H.U.C. Annual*, I, p. 23. The suggestion has been made that the custom of reading the laws of prohibited marriages on the afternoon of the Day of Atonement was intended to warn the participants in the celebration against the temptations aroused by the frivolities of the day (*Bet Talmud*, III, p. 344).

[31] Mishna Yoma 7.4.

[32] The patrician sage, R. Judah ben Bathyra, Pesahim 109a.

[33] Hullin 110a; Bezah 30a; Genesis R. 11.4, p. 91.

[34] Mishna Hullin 5.3.

[35] Shabbat 148b.

[36] Cf. Yoma 87a; *Shulhan 'Aruk*, *Orah Hayyim*, 605, and notes of Isserles ad loc.

[37] Yoma 87b. It is interesting to note that Maimonides, who could not conceive of anyone indulging in such an enormous banquet on the ninth of Tishri, changes the text slightly and makes it read, in his code, "lest he be strangled" at the meal, through some food entering his windpipe (*Yad*, *Hilkot Teshubah*, 2.7).

[38] Berakot 8b.

[39] The law is stated thrice: Ex. 23.19; 34.26; and Deut. 14.21.

[40] *Moreh*, III, ch. 48.

[41] *Folklore in the Old Testament*, III, p. 117.

[42] H. L. Ginsberg, *Kitebe Ugarit*, p. 79; S. A. Montgomery-Z. S. Harris, *The Ras Shamra Mythological Texts*, p. 75; for parallels see Ramsay, in *Encyclopedia of Religion and Ethics*, IX, 905a; and Max Radin, in *AJSL*, XL (1923–24), p. 209 ff., especially p. 217 f. W. R. Smith, in his *The Religion of the Semites* (third edition, with an introduction and additional notes by S. A. Cook, p. 221, note), accepts Maimonides's interpretation of the prohibition and refers to the fact that among the Arabs meat cooked with milk is a common dish. Regarding this, see also Musil, *Arabia Petraea*, II, 1, p. 39; III, p. 149; and cf. also Gen. 8.18. W. R. Smith indicates that in his opinion the custom of seething a kid in its mother's milk is somewhat associated with the conception of milk as transformed blood, and may be connected with the thought of eating meat and blood; see ibid. S. A. Cook in his additional notes to W. R. Smith, op. cit., p. 576, accepts the theory that the prohibition is based on "a singular compassionateness, and a sentiment against brutality or even unseemliness," and directs our attention to a similar rule laid down

in Lev. 22.28, prohibiting the slaughter of the parent and the young on the same day, as well as to Deut. 22.6, which prohibits taking the mother bird with its offspring. Meir Friedmann, in *Bet Talmud*, III, p. 351, draws attention to the fact that the birth of the young goats and the abundance of milk in the later spring months would naturally lead to the development of a custom of seething the kid in its mother's milk. It is probable that some association exists between this ancient custom and that still surviving in many Jewish communities of making Shabuot a festival celebrated by dairy foods. Indeed, a number of authorities permit a relaxation of the general rule prohibiting the eating of dairy foods within six hours after meat on this festival (*Kol Bo*, section 106, *Shulhan 'Aruk, Orah Hayyim*, 494, section 3, note of Isserles and commentaries.).

[43] Mishna Hullin 8.1 ff.

[44] Ibid. 8.4.

[45] Hullin 116a.

[46] Mishna, ibid., 8.1. One patrician scholar, Epikoulos, apparently agreed with Jose the Galilean (Tosefta Hullin 8.3, p. 509).

[47] Philo, *De Humanitate*, 19.142, ed. Cohn and Wendland, V, p. 309.

[48] *Shullhan 'Aruk, Yoreh De'ah*, 89.1. See note of Isserles and commentaries, ad loc., as well as references to the Talmud and the earlier codes.

[49] For the sake of completeness, mention must here be made of the distinction drawn by R. Judah ben Ilai (ca. 170 C.E.) between Galilee and Judah with regard to vows. "If a person says, 'Let this be heave-offering,' in Judah it is permitted, in Galilee it is prohibited; for the men of Galilee do not use the term heave-offering for the annual gifts to the Temple. If a person says, 'Let this be *herem*,' in Judah it is permitted, but in Galilee it is prohibited; for the men of Galilee do not recognize the *herem* of the priests" (Mishna Nedarim 2.4). The law derives its meaning from the fact that any statement must be interpreted on the basis of local usage; and furthermore, while gifts to the Temple are forbidden for secular use, those to the priests are permitted. If a person vows that something shall have the status of heave-offering for him, he may not use it if he lives in Judah, for there the term *terumah*, heave-offering, is frequently applied to the annual gift of half a shekel to the Temple, which is forbidden for secular use. In Galilee it is permitted, for he meant nothing more than that the subject of the vow should have the status of the priests' heave-offering, which may be used. The term *herem* is likewise ambiguous. It may be used for gifts either to the Temple or to the priests. In Judah, it may be assumed that a person declaring something *herem* meant to give it to the priests, for if he meant to give it to the Temple, he would use the more common expression *hakdesh*. In Galilee, however, the *herem* of the priests was unrecognized, and gifts were made to the Temple.

More closely related to the differences cited in the text is that recorded in Yer. Moed Katan 3.5, 82d, and Masseket Semahot 10.15, p. 186, according to which the Judeans would greet a mourner on the sabbath, while the Galileans would not.

There were other differences even more patently associated with the differences of geographical situation. In Judah, e. g., being a sheep-raising province, women were accustomed to weave wool, whereas those of Galilee worked with linen (Mishna

Baba Kamma 10.9). There were also differences in the weights and other measures between the two provinces (Mishna Terumot 10.8; Ketubot 5.9; Hullin 11.2). For differences of dialect between the provinces, see 'Erubin 53a, b; Kiddushin 6a; Genesis R. 26.7, p. 254; Matt. 26.73; Mk. 14.70. Cf. now, especially, A. Sperber, in *H. U. C. Annual*, XII–XIII (1937–38), pp. 149–153; for the special leniencies of the Judaites with regard to tithing certain types of food, Mishna Demai 1.1; for the Galileans' aversion to study, Yer. Shabbat 16, 15d, end; for their quarrelsome spirit, Nedarim 48a. Finally it must be noted that the "great men," i. e., the patricians, of Galilee are said to have been so fastidious that they used warm water for washing their hands before meals (Hullin 106a).

NOTES TO CHAPTER IV

[1] Pesahim 4.8.

[2] See below, p. 563 ff.

[3] I Sam. 15.22; the passage is probably much later than the time of Samuel the Prophet; yet it belongs, probably, to the earlier period of literary prophecy. See commentaries ad loc.

[4] Cf. Amos 5.28; Isa. 1.11; and the stories of the patriarchs, who are repeatedly described as building altars and calling on the name of the Lord, but not as sacrificing on the altars; cf. Gen. 12.7, 8; 13.18; 33.20; 35.7; and also the simple oil libations at Bethel described in Gen. 28.18; 35.14.

[5] See further regarding him, below, p. 575 ff.

[6] Abot 1.2.

[7] See further below, p. 576.

[8] The ascription of the reading of the *Shema'* to the Men of the Great Assembly is well authenticated. The Septuagint adds a special introduction to the verse Deut. 6.4, indicating that already at that time the passage was recognized as distinguished from the remainder of the Scriptures; in the famous Nash Papyrus (first published by S. A. Cook, in *Proc. Soc. Bibl. Arch.*, XXV (1903), pp. 34–56; see the recent discussion of it in H. Loewe, "Pharisaism," in *Judaism and Christianity*, vol. I, p. 141, note 3; and the magnificent reëxamination of all the relevant material in W. F. Albright, "A Biblical Fragment from the Maccabean Age: the Nash Papyrus," in *JBL*, LVI (1937), pp. 145–176), the *Shema'* immediately follows on the Decalogue; Josephus, *Antiquities*, IV, 8.13, knows of the *Shema'* as consisting of the three paragraphs. See I. Elbogen, *Der juedische Gottesdienst*, pp. 24 f., 582; and see also *REJ*, XCII (1932), p. 17 ff. For the antiquity of Mishna Tamid, which mentions the ceremony at the Temple, see L. Ginzberg, in *Journal of Jewish Lore and Philosophy*, I, 1919, p. 33 ff.

[9] Mishna Tamid 5.1.

[10] Cf. further, below, p. 579 ff.

[11] Mark 13.29; cf. Matthew 22.35.

[12] See I. Elbogen, op. cit., pp. 22, 26; L. Blau, *REJ*, XXXI (1895), 189 ff.; V. Aptowitzer, *MGWJ*, LXXIII (1929), p. 102 f.; A. Buechler, *Die Priester*, p. 176;

Epstein's review of it, in *MGWJ*, XL (1896), p. 144; and finally my remarks on the subject in *REJ*, XCII (1932), p. 7.

[13] At least this was the interpretation put on Lev. 23.14 by Jewish scholarship of the Second Commonwealth; see above, p. 115 ff.

[14] Regarding the sycamore trees, see Loew, *Flora d. Juden*, I, 1926, p. 274; S. Klein, in *Schwarz Festschrift*, p. 400. See also Tosefta Menahot 13.20, p. 533; ibid., Zebahim 11.17, p. 497.

[15] Mark 11.23.

[16] Sifre Deut. 105, 95b.

[17] Yer. Ma'aserot 1.1, 48c.

[18] Luke 11.42.

[19] Pesahim 57a.

NOTES TO CHAPTER V

[1] The scribes were of course the leaders of the Pharisees; they did not constitute by any means the whole party. For the bibliography on the Pharisees and the Sadducees, see p. 711 ff.

[2] This has already been recognized by J. Jeremias, *Jerusalem*, II B, p. 139.

[3] Tosefta Megillah 4 (3).15, p. 226.

[4] Mishna Demai 2.3.

[5] Mishna Bekorot 5.5; Zabim 3.2; B. Mo'ed Katan 22b. See A. Buechler, *Der galilaeische 'Am Ha-'Ares*, p. 74.

[6] Mishna Hagigah 2.7.

[7] Tosefta Shabbat 1.15, p. 111; Yer. ibid.

[8] Josephus, *War*, II, 8.9 ff.

[9] Tosefta Demai 2.2, p. 47; Bekorot 30b. Cf. the severer regulations of Mishna Demai 2.2; are they to be associated with Rabbi Judah the Patriarch's personal antipathy to the *'am ha-arez*, which has been described above, p. 35?

[10] Tosefta, ibid., 2.14, p. 48.

[11] Bekorot, loc. cit.; Tosefta, Demai 2.13; Yer. ibid. 2.2, 22d.

[12] Ibid.

[13] Bekorot, loc. cit.; Tosefta, ibid., 2.12, where the text has apparently been emended to conform with that of Babli. The objection raised by the Talmud that according to the original text the Shammaites would be more lenient to the *'am ha-arez* than the Hillelites is hardly valid. There are several examples of sympathetic relationship between the Shammaites and *'am ha-arez*; cf. e.g. Mishna Oholot 5.2, 3; cf. Tosefta, ibid., 5.11, p. 603.

[14] This is implied in the incidents related below.

[15] Hence the process of expulsion was called *Niddui.*

[16] Mishna 'Eduyyot 5.6.

[17] Ibid.

[18] Baba Mezi'a 59b.

[19] Yer. Mo'ed Katan 3.1.

[20] The derivation of the name Sadducee from that of the High Priest Zadok was first proposed by Geiger, *Urschrift*, p. 100; and it has since been widely accepted (see Schuerer, *Geschichte*, II, 477, and the literature cited by him). On the other hand the record of a founder Zadok, mentioned in a legendary manner in Abot of R. Nathan, ch. 5, 13b, has been revived by Eduard Baneth, *Ursprung der Saddokäer und Boethosäer*, p. 35, who presumes that Zadok was a colleague of the early Pharisaic teachers, Jose ben Joezer and Jose ben Johanan. Most recently this view has found a champion in Eduard Meyer, *Ursprung*, II, p. 291. Nevertheless, it seems to me that Geiger's view must be accepted, especially as it alone explains the name Boethusians, which cannot be other than a popular synonym for Sadducees. The theory that the Boethusians were a special faction among the Sadducees, which I adhered to formerly, cannot, I think, be maintained in view of the fact that the Talmud uses the words interchangeably, and especially that Abot of R. Nathan, loc. cit. (which, however unacquainted it may have been with the origin of the sect, must have known much about its organization), is aware of no such division among the Sadducees. See also Geiger, *Urschrift*, p. 102; Aptowitzer, *Parteipolitik*, p. 191; but especially, L. Ginzberg, article "Boethusians," in *Jewish Encyclopedia*, and his discussions of the subject in *Eine unbekannte juedische Sekte*, p. 196. The derivation of the name from Boiotos, in *Ha-Zofeh*, IX, p. 288, is fanciful.

[21] Josephus, *Antiquities*, XIII, 10.6; XVIII, 1.3; Abot of R. Nathan, ch. 5, 13b.

NOTES TO CHAPTER VI

[1] Josephus, *War*, II, 8.14.

[2] *Antiquities*, XVIII, 1.3.

[3] *Antiquities*, XIII, 10.6; XX, 9.1.

[4] See above, ch. II, note 88 and ch. III, note 14. Good manners and even obsequiousness, and together with it, disingenuousness, are frequently found among non-urban races, but, as Westermarck points out, these traits can generally be traced to either oppression by the higher classes or to the influence of traders (*The Origin and Development of Moral Ideas*, II, p. 128 ff.; cf. also pp. 86, 96, and 146).

[5] Shabbat 30b.

[6] Abot 2.5.

[7] 'Arakin 16b; Sifra Kedoshim, 4.9, 89b.

[8] Cf. Sifre Deut. 1.

[9] Tosefta Hagigah 2.11, p. 236.

[10] Mishna Sukkah 2.7.

[11] Pesahim 69a.

[12] Tosefta Kelim, First Part, 1.6, p. 569.

[13] Sanhedrin 68a.

[14] Tosefta Yebamot 8.4, p. 250.

[15] Mishna Oholot 16.1; B. Shabbat 17a; 116a.

[16] Baba Mezi'a 85a.

[17] Berakot 28a. For the Shammaitic inclinations of R. Gamaliel see *Akiba*, pp. 304–306; and also A. Buechler, in *Bloch Festschrift* (*Sefer Ha-Yobel likebod R. Mosheh Aryeh Bloch*), pp. 21–30.

[18] Tosefta, Shekalim 2.1, p. 175. The text of Sifre, Deut. 79, is to be corrected in accordance with that found in the Tosefta; see *Tarbiz*, III (1931–32), p. 201.

[19] Tosefta Berakot 3.3, p. 5.

[20] 'Erubin 53b.

[21] Ibid.

[22] Yer. Yebamot, ch. 13, 13c.

[23] Sanhedrin 104b.

[24] Yer. Niddah 1.3, 49b; Semahot 2.11, p. 101.

[25] Ibid.; for Tabbita see Yer. Niddah 2.1, 49d; Lev. R. 19.4.

[26] Mekilta Bo, ch. 17, p. 68.

[27] Mishna Sukkah 2.1.

[28] Mishna Berakot 1.7.

[29] Shabbat 151b.

[30] Kiddushin 81b.

[31] Abot of R. Nathan, end; Kiddushin 31b.

[32] Yer. Nedarim 9.11, 41c. The war could not have been that of Bar Kokeba, for R. Ishmael died before its outbreak (*Akiba*, p. 268). His generosity may have been prompted partly by his revolutionary ardor, but is nevertheless remarkable (op. cit. p. 230).

[33] Mishna Nedarim 9.10.

[34] Berakot 28a.

[35] Shabbat 31a.

[36] 'Erubin 53b; cf. Lam. R., ch. 1, 28b.

[37] Ketubot 63a.

[38] Josephus, *Antiquities*, XVIII, 1.2. There were, of course, also some Sadducees who were learned in the Law. But since learning was not held in high regard by the sect, these were necessarily few and of little importance. So also V. Aptowitzer, *Parteipolitik*, p. 30; and L. Baeck, *Die Pharisäer*, p. 48.

[39] So the Resurrection, e. g., is discussed in the tenth chapter of Mishna Sanhedrin, in connection with the laws of capital punishment.

[40] Cf., e. g., Tosefta Shabbat 7(8), pp. 118–119.

[41] Josephus, loc. cit.

[42] See above, p. 28 ff.

[43] See p. 203 ff.

[44] Abot of R. Nathan, ch. 3, 7b.

[45] Abot 1.17. For the evidence of the Shammaitic tendencies of R. Simeon ben Gamaliel I, the author of this statement, see *Akiba*, p. 46 ff.

[46] Ibid. 1.15. For a further discussion of the question as it reappeared in rabbinic times, see *Akiba*, p. 49, 258 f.

[47] Sifre Deut. 41; Mekilta of R. Simeon 19.17, p. 100; Kiddushin 40b; Yer. Pesahim 3.7, 30b; ibid. Hagigah 1.7, 76c; Cant. R., ch. 2, on verse 14; see also *Akiba*, p. 260.

[48] Hence such expressions as are found in Mark 7.1 ff.; 12.38 f.; Matthew 6.5; 12.2 ff. etc.

[49] See *Akiba*, p. 304 ff.; cf. also A. Buechler, in *Bloch Festschrift*, p. 23.

[50] Berakot 28a.

[51] Assumption of Moses, 7.4 ff. The theory that the author is a Hillelite explains satisfactorily, I believe, the long mooted question of the meaning of this passage. It cannot be an indictment of the Romans, the Herodians, or the Sadducees, for the verse, "Do not touch me lest thou shouldst pollute me" (v. 10), could not apply to any of these. On the other hand, the writer being a Pharisee, as is admitted by all commentators, would hardly attack his own group, as is maintained by Jeremias (*Jerusalem*, II B, p. 120). It is clear, however, that being a member of the plebeian faction of the Pharisees, or the Hillelites, he might well accuse the patricians or Shammaites both of gluttony and claims to superior holiness.

[52] An anonymous *baraita* (B. Sotah 22b; Yer. Sotah 5.7, 20c) enumerates seven types of Pharisees, of various grades of piety. The expressions used are in several instances colloquial and no longer intelligible, yet obviously the author of the statement distinguishes "the Pharisee out of love," i. e. the one who observes the Law from love of God, from him who observes it out of fear of God, and from others who act from less worthy motives. R. Joshua ben Hananya, one of the leading plebeian scholars of his day (i. e. from about 80–118 C.E.), used to say, "A pious fool, a clever knave, an ascetic woman, and the sufferings of the Pharisees destroy the world" (Mishna Sotah 3.4). It is interesting to notice that in this statement the Hebrew word rendered by "sanctimonious" is *perushah*, meaning literally a "Pharisaic woman." Since R. Joshua himself was a leading Pharisee, however, it is clear that what he was objecting to was, in reality, the wife whose piety expressed itself in a reluctance to normal marital life as degrading or impure. The monogamous plebeians were less inclined to tolerate such abstinence in their wives than the provincials and patricians, among whom plural marriage was not unusual (cf. further the views of the Hillelites in Mishna Ketubot 5.6; Niddah 10.1; and see also ibid. 2.4). The word *perushim* occurs in passages where it cannot possibly have any other meaning than "ascetics"; see, e. g., Baba Batra 60b.

In this connection it should be noted, too, that the plebeians of later times were divided in their opinion of the place of woman in the cultural world. Apparently fearing the independent woman of their day, some of them, like R. Joshua (Mishna Sotah, loc. cit.), agreed with the provincials in their opposition to teaching the Torah to women. See also Mishna Ketubot 1.6–9, where R. Joshua refuses to accept the testimony of a seduced woman regarding the person who seduced her; Mishna Yebamot 15.2 f., where the Hillelites refuse to accept her testimony regarding the death of her husband so as to permit her to receive her husband's estates. See also *Akiba*, p. 300 f. This view was, however, resisted by a large faction of the Hillelites, whose leaders were R. Akiba and Ben Azzai. The views of Ben Azzai are illustrated by his statement, opposing both R. Eliezer ben Hyrcanus and R. Joshua ben Hananya, and holding that "one is commanded to teach one's daughter the Torah." Those of R. Akiba are reflected in a series of maxims which mark him as one of the foremost protagonists of the rights of women in history. He insisted that a woman who earned more than her maintenance cost was entitled to keep the remainder of her wages (Mishna Nedarim 11.4); that women have a right to use cosmetics in the period of "impurity" (B. Shabbat 64b; Yer. Gittin, end, 50d; Sifra Mezora', end); and he introduced other leniencies in this regard, which shocked his more conservative colleagues and disciples (Mishna Niddah 8.3). For a full discussion of his views, see *Akiba*, p. 187 ff.

NOTES TO CHAPTER VII

[1] For controversies between the sects, in addition to those described in this and the succeeding chapters, see Appendix C.

[2] Mishna Sukkah, chs. 4 and 5.

[3] Tosefta, ibid., 3.1, p. 195; see also below.

[4] Rosh ha-Shanah 16a; Yer. ibid. 1.3, 57a; Tosefta ibid. 1.12, p. 210; Tosefta Sukkah 3.18, p. 197. Indeed R. Akiba maintains that the water-pouring is biblically commanded (Yer. Sukkah 4.1, 54a; ibid. Rosh ha-Shanah 1.3, 57b). See further regarding the Sukkot ceremonies, Smith-Cook, *The Religion of the Semites*, p. 580 and literature there cited, as well as p. 644. Frazer, *Golden Bough*,^{5} I, p. 247, cites similar ceremonies among other peoples. In vol. I, p. 303, he quotes parallels also to the "torches" used in these rain ceremonies. See also Dalman, *Arbeit und Sitte in Palaestina*, I, pp. 122, 148; and M. Friedmann, in *Graetz Jubelschrift*, p. 159 f. M. Friedmann regards the ceremonies of water-pouring and the carrying of the vegetables as extremely ancient, celebrated originally in connection with the agricultural festival of the *eighth* month, i. e. the first month of rain, and transferred by the Lawgiver to the seventh month in order to give the festival primarily an historical rather than an agricultural connotation. A similar suggestion has now been made by J. Z. Lauterbach in *H. U. C. Annual*, XI (1936), 24 ff.; and seems to be implied in S. Mowinckel, *Psalmenstudien*, V, p. 25 f.; as well as in J. Scheftelowitz, *Alt-Palaestinensischer Bauernglaube*, p. 93 ff.

[5] E. g. Ezekiel 46.23; Mishna Rosh ha-Shanah 1.2.

[6] Cf. Johs. Pedersen, *Israel, Its Life and Culture*, p. 35.

[7] G. A. Smith, *Jerusalem*, I, p. 15; and pp. 75–103; G. Dalman, *Arbeit und Sitte in Palaestina*, I, pp. 70–71; see also ibid. p. 176.

[8] E. Littman, in *Journal Asiatique*, N. S., XVIII (1901), p. 382, cited by Smith-Cook, in *The Religion of the Semites*, p. 575; Hoelscher, *Die Propheten*, p. 172, note 1; Derenbourg, in *Revue des Études Juives*, XLIV (1922), p. 124 ff. For abstinence in war, see Schwally, *Der heilige Krieg im alten Israel*, p. 55 ff., where the association of water-pouring with war generally is likewise discussed.

[9] The story shows clearly that Gideon knew that his visitor was an angel of the Lord, and that he was making a sacrifice to God out of the food which he had prepared. The historical authenticity of the incident of Gideon and of Samuel do not of course bear on their value from the point of view of the development of the faith; see also Kittel, *Geschichte*, II, 248.

[10] Cf. Dalman, *Arbeit u. Sitte*, I, 1, p. 147.

[11] Diodorus Siculus, XIX, 94, ed. Fischer, p. 146.

[12] Mekilta, Jethro, p. 200.

[13] Yer. Pesahim 10.1, 37b.

[14] Nedarim 9b.

[15] Ibid; cf. Yer. Nedarim 1.3.

[16] The incident is recorded in Josephus, *Antiquities*, XIII, 13.5; in the Talmud Sukkah 48b, and Tosefta ibid. 3.16, p. 197.

[17] Cf. *JQR*, N. S., XVI (1924–5), 35, and 143.

[18] Mishna, Ta'anit 1.1.

[19] Mishna, Rosh ha-Shanah 1.2.

[20] Jubilees 6.23. For additional discussion of the question see *HTR*, XXII, p. 200.

[21] Jubilees 12.17.

[22] Lev. 23.15 ff.

[23] See Mishna, Menahot 10.3; Tosefta, ibid., 10.23, p. 528; B. ibid. 65a; Megillat Ta'anit, ed. Lichtenstein, in *HUC Annual*, VIII–IX, p. 324; cf. also Sifra, Emor, 12, 100d; Mishna Hagigah 2.4; Yer. Rosh ha-Shanah 2.1, 57d.

[24] Shabbat 86b; Mekilta, Beshallah, Vayyassa', ch. 1, p. 159; ibid. Jethro, Bahodesh, ch. 3, p. 212; Targum Ps.-Jonathan, Ex. 19.16. Though Philo and Josephus make no mention of the historical significance of Shabuot, they indicate that the offering of the Omer, the first sheaf of barley, must be made on the sixteenth of Nisan. See Philo, *De Specialibus Legibus*, II, 21, 176, ed. Cohn-Wendland, V, p. 129, l. 12; *De Decalogo*, 30, 160, IV, 304, l. 10; Josephus, *Antiquities*, III, 10.5.

[25] At the beginning of the book (1.1), Moses is commanded to come up to God on the mount to receive the tablets on the sixteenth day of the third month. This indicates the author's conviction that the Revelation had taken place the preceding day, the fifteenth of Sivan, which is his date for Shabuot (Jub. 6.17, but see next note). There may be some further allusion to the controversy in the Chronicler's representation that the covenant under Asa was made in the third month (II Chron. 15.10). This interpretation of the meaning placed on Shabuot by the book of Jubilees is generally accepted. It was already recognized by A. Epstein in *Eldad ha-Dani*, p. 156.

[26] The Pharisaic view is also explicitly supported by Targum Ps.-Jonathan on the passage in Leviticus. Peshitta, on the other hand, renders, "and after the last day of the Passover," showing that the translator agreed rather with the Book of Jubilees and the Falashas. See also Albeck, *Das Buch der Jubiläen u. die Halacha*, p. 16, and see *HTR*, XVI (1923), p. 41. For the doctrine of the Falashas, see *Tarbiz*, VII, pp. 129, 378, 387. A full discussion of the issue is to be found in D. Hoffmann, *Das Buch Leviticus*, p. 175; and *Die Zeit der Omer-Schwingung des Wochenfestes*. Whether the Karaites who held the same view as the Sadducees actually derived their teachings from records or remnants of the latter sect, a view upheld by Geiger and restated vigorously by S. Poznanski (on several occasions, see, e. g. *Gedenkbuch zur Erinnerung an David Kaufmann*, p. 173), has been questioned by Professor Louis Ginzberg (see, e. g., his *Kitbe Ha-Geonim*, *Ginze Schechter*, p. 478); as well

as by B. Revel, *The Karaite Halakah*, p. 14 ff. Prof. Ralph Marcus draws my attention to Josephus's record in *Antiquities* XIII, 8.4, telling that Hyrkan I, marching with his troops under Antiochus VII, caused the whole army to be delayed for two days because the Jews could not travel either on the Sabbath or on the festival of Pentecost which followed it. Whether that was merely a coincidence or the Hasmonean King, even in the early part of his reign, recognized the Sadducean interpretation of the festival, cannot be definitely ascertained.

[27] See Ezek. 45.18 ff.

[28] Sifra, Ahare, perek 3, 81a; Yoma 19b, 53a; Tosefta, ibid., 1.8, p. 181; Yer. ibid. 1.5, 39a.

[29] Mishna, Yoma 1.5.

[30] Dr. Julian Morgenstern calls my attention, however, to the fact that in the illicit offerings described in Lev. 10.1 and Num. 16.18, it appears that the incense was put on the fire before it was "presented before the Lord." It is altogether probable, he maintains, that the same order would be followed by those who made illicit, as by those who made prescribed, sacrifices. This argument is not, however, convincing. It is especially interesting to note that in Moses' command to Korah (Num. 16.17) there is no indication of the fact that the placing of the incense *on the fire* should precede the presentation before the Lord. In any event, those instances do not weaken the force of the argument from the text of Lev. 16.12, which plainly states that the incense is to be put on the fire *after* the priest has entered the Holy Chamber.

Leszynsky is unnecessarily literal when he maintains (*Die Sadduzäer*, p. 62) that since the High Priest is commanded to carry "his hands full" of incense, he must necessarily put the incense on the fire before entering the Holy Chamber; for, he argues, if the High Priest's hands were occupied with the incense, how could he carry the censer full of fire? The answer obviously is that the High Priest carried the two handfuls of incense not in his hands but, as the Mishna expressly states, in a container (Mishna Yoma 5.1). Even Leszynsky must assume an ellipsis in the verse, and agree that the incense was carried not in the priest's hands, but in the censer which contained the incense. What then is there more strange about the assumption that the incense was put into a second container than in the assumption that it was placed on the fire?

[31] *HUC Annual*, IV, 185 ff.; for an older explanation which probably interprets correctly the technical argument adduced by the Sadducees for their opinion, see *Bet Talmud*, IV, p. 268. Lauterbach's interpretation is, of course, partly anticipated by the remarks of Leszynsky, loc. cit. There is a striking parallel to this ancient difference between the country and city theology in some of the instances cited by Warren H. Wilson, in "Country versus City," published in *Papers and Proceedings, Eleventh Annual Meeting of the American Sociological Society*, XI (1917), p. 14.

[32] Mishna, ibid., 5.1.

[33] Mishna Parah 3.5; Tosefta, ibid., 3.8, p. 632. Cf. ibid., also 3.6.

[34] Hagigah 25a; Niddah 6b.

[35] Num. 19.11 ff.

[36] Mishna Zabim 5.12.

[37] Mishna Parah 3.7.

[38] Ibid.

[39] Ibid.

[40] The matter is most strongly emphasized by N. Bruell in *Bet Talmud*, I, pp. 240 and 270. His explanation, however, that the issue involved is the relative position of priests and laymen, seems far-fetched.

[41] Tosefta Parah 3.6, p. 632.

[42] Ibid., 3.8, p. 632.

[43] Josephus, *Antiquities*, XVIII, 1.4; Yoma 19b; Tosefta, ibid., 1.8, p. 181; Yer. ibid. 1.5, 39a.

[44] Tosefta Hagigah 3.35, p. 238; cf. also Yer. ibid. 3.8, 79d.

[45] Mishna Yadayim 4.7.

[46] Yer. Ketubot 8.11, 32c. There can be no doubt of the accuracy of this tradition in spite of the attempts of the Babylonian authorities to explain it away; cf. Shabbat 16b.

[47] Ibid.; cf. also B. Shabbat 15b.

[48] Cf. Lev. 11.32 ff.; Num. 19.14 ff.; 31.20–23.

[49] Benzinger, *Hebräische Archäologie*, pp. 70–71; and S. Krauss, *Talmudische Archäologie*, I, 58–75.

[50] II Macc. 5.25; cf. Josephus, *War*, I, 7.3; I Macc. 2.32.

[51] Yebamot 90b.

[52] Mishna Shabbat 7.1.

[53] A. Geiger, *Nachgelassene Schriften*, III, 287 ff.

[54] Compare G. Dalman, *Arbeit u. Sitte in Palästina*, I, p. 220 ff.; IV, p. 6 ff.

[55] Mark 14.67; Luke 22.55.

[56] Yoma 34b.

[57] Mishna Shabbat 1.3.

[58] Mishna Berakot 1.1.

[59] Mishna Pesahim 10.9; cf. Tosefta ibid, 10.12, p. 173; The patricians limited the time of the Passover celebration to the early evening. Compare also Jubilees 49.10, which requires the celebration to end by 10 P.M.

[60] Yer. Sotah 1.4, 16d.

[61] Mishna Berakot, loc. cit.

[62] Pesahim 4.4.

[63] Jeremias, *Jüdische Froemmigkeit*, p. 36.

[64] Mishna 'Erubin 6.2. For further discussions of the subject see Geiger, *Urschrift*, p. 147; *Jued. Zeitschrift*, II, p. 24; *Sadducäer u. Pharisäer*, p. 21; *Nachgelassene Schriften*, III, p. 290; *Kebuzat Maamarim*, p. 67; Ginzberg, *Eine unbekannte juedische Sekte*, p. 194; and also p. 159; Halevy, *Dorot Ha-Rishonim*, I C, p. 436; Leszynsky, *Die Sadduzäer*, p. 71.

[65] See G. Hoelscher, *Der Sadduzäismus*, p. 30 ff. It must be noted, however, that while Hoelscher's interpretation of the Civil Law is extremely helpful, his discussion of the controversies regarding ceremonial and his insistence that the Pharisees were literalists, are erroneous.

[66] Tosefta Yadayim 2.20, p. 684; Baba Batral 15b; Yer. ibid. 8.1, 16a; Scholion

to Megillat Ta'anit, ch. 5, ed. Lichtenstein in *HUC Annual*, VIII–IX (1932), p. 334. Geiger (*Urschrift*, p. 143 f.) rather fancifully associated the view of the Sadducees with an alleged attempt to justify the Herodian seizure of the monarchy, holding that they derived the throne from the Hasmoneans, through Mariamne, the daughter of Alexandra, and the wife of Herod. Leszynsky (*Die Sadduzäer*, p. 88), on the other hand, finds the Sadducean view logical, but is unable to explain that of the Pharisees, except on the basis of the rather weak, technical argument, which they are said to have adduced in favor of their interpretation. Ch. Tschernowitz (*Toledoth Ha-Halakah*, I, 2, p. 327) is indeed compelled to admit that the view of the Sadducees is the more reasonable from a consideration of general social need; yet he considers that of the Pharisees superior from a purely juridical point of view. S. Poznanski in *JQR*, VIII (1896), p. 691 ff., and Aptowitzer, in *HUC Annual*, V (1928), p. 283 ff., maintain that the Sadducees actually permitted daughters to inherit on the same terms as sons. Professor Louis Ginzberg has, however, demonstrated that Poznanski's evidence rests on a copyist's error, in the text of Aaron ben Elijah's *Gan Eden*, 165d. See L. Ginzberg, *Ginze Schechter*, II, *Kitebe Ha-Geonim*, p. 470. Aptowitzer, who apparently realizes this, restates the theory without, however, adducing more cogent proof (op. cit.). See, however, also his work, "Die syrischen Rechtsbuecher und das mosaisch-talmudische Recht" (*Sitzungsberichte der Kais. Akademie d. Wissenschaften in Wien*, Band 163, *Abhandlung* 5, pp. 23, 81 ff.). In *HTR*, XXII (1929), p. 255 f., I advanced the theory that the Pharisaic view was based entirely on the sect's theological conception of immortality, and that the rule of the granddaughter's priority over the daughter was intended as a legal recognition of the fact that her father, though deceased, was really alive, in another world, and could inherit the property so as to hand it over to his child and to deprive his sister of her rights. I still believe that this thought may have played some part in the mental attitude of the Pharisaic judges toward the question. But certainly the issue of the division of the estates was far more important. That can be seen from the facts mentioned below.

[67] Mishna Baba Batra 9.9, 10, 11; see *Akiba*, p. 279 f.

[68] Mishna Ketubot 4.11. For Admon's patrician leanings, see *Akiba*, p. 300 ff.

[69] Tosefta Baba Batra 7.10, p. 408; Babli, ibid. 111a; Yer. ibid. 8.1, 16a. His view is also accepted by Simeon ben Yohai, a later patrician. The importance attached to the issue may be gauged from the rancor with which it was discussed in later times. Indeed, R. Nahman threatened to excommunicate anyone who decided in accordance with Zechariah's views on this subject (Babli, loc. cit.); and the Palestinian scholars said of the Babylonian judges who followed the ancient Sage that they were *hedyotot*, "unlearned" (Yer., loc. cit.). Such energetic expressions of opinion indicate deep social cleavages behind the quiet academic-juristic façade of ordinary talmudic discussion.

[70] *Code of Hammurabi*, section 3; see discussion by A. Jirku, *Das weltliche Recht im Alten Testament*, p. 102 f.

[71] Mishna Makkot 1.8; Sifre Deut. 190, 109b; Josephus, *Antiquities*, IV, 8.15; see Weyl, *Die juedischen Strafgesetze bei Flavius Josephus*, p. 83 ff.; D. Hoffmann, *Das Buch Deuteronomium*, p. 374.

[72] Cf. Deut. 17.7; Mishna Sanhedrin 6.4.

[73] See below, p. 162.

[74] For the change of view which developed when wrongful actions ceased to be considered purely civil and individual matters, and came to be regarded as wrongs against the state, see A. S. Diamond, *Primitive Law*, p. 304.

[75] The significance to be attached to intention, generally, was a matter of dispute between the plebeians and the patricians; and this doubtless played its part in the issue of false witnesses. For a discussion of the controversies regarding intention between the patricians and the plebeians among the Pharisees, see Ginzberg, *Mekomah shel ha-Halakah behokmat Yisrael*, p. 31 ff.; S. Zeitlin, *JQR*, N. S., XIX (1928–29), 268 ff.; Higger, *Intention in Talmudic Law*. The statement in the Talmud (Makkot 5b), supplementing that of the Mishna, that (according to Pharisaic law) the "false witnesses are not to be punished if the man against whom they testified has already been executed," is late and without any authority. It arose out of the opposition to capital punishment among the later Sages, but even among them it could only have been uttered when the Jews had lost all right over their criminal law. It would, of course, be absurd to suppose that the Pharisees, when they had judicial authority, punished false witnesses whose testimony had not led to execution, but refrained from punishing those whose testimony had resulted in the death of the accused (see A. Geiger, *Urschrift*, p. 140; Pineles, *Darkah shel Torah*, p. 172; I. H. Weiss, *Dor Dor ve-Doreshav*, I, p. 138). With regard to the main issue, it is interesting to note that in the story of Susanna, the false witnesses are executed, although Susanna had only been convicted, but not slain, on their testimony (Susanna, v. 61). But, as Charles maintains (*Apocrypha and Pseudepigrapha*, I, pp. 638, 651), it is altogether probable that the Book of Susanna was written to support the views of the Pharisees, and actually dates from the time of Simeon ben Shattah.

[76] The story is described in Mekilta, Mishpatim, ch. 20, p. 327; Tosefta Sanhedrin 6.6, p. 424; Yer. ibid. 6.5, 23b; and Babli Makkot 5b. Geiger, *Urschrift*, p. 141, has shown that the text in Mekilta is superior in naming Simeon ben Shattah as the judge who executed the false witness, and Judah ben Tabbai as the colleague who protested. According to our sources, which do not dare to attribute to Judah ben Tabbai (or in the variant texts, Simeon ben Shattah) Sadducean views, the protest was directed against the execution of the witness, because the law requires both witnesses to be found guilty of false testimony before either can be punished (Mishna Makkot 1.7). And it is said that Simeon executed the false witness, in spite of this, because he wanted to demonstrate the truth of the Pharisaic interpretation of the law, declaring witnesses punishable even though the person against whom they testified had not been executed.

The story as thus interpreted involves a number of difficulties. First, it seems incredible either that Simeon should not have known such a rule as the one providing that a single witness cannot be punished unless both are proved guilty, or that, if he knew it, he should intentionally have violated it. The supposition that he did it "in order to tear out of the heart of the Sadducees" their erroneous conception of the law, seems hardly sufficient to account for what is apparently nothing short of judicial murder. At the same time it seems difficult, on the ordinary interpretation of the story, to account for Judah b. Tabbai's words, "May I not see the consolation of Israel, if you have not shed innocent blood!" Certainly the blood was not innocently shed, since the witness had testified falsely. It was only for a technical reason that he could not be punished. Therefore under this interpretation, while on the one hand we cannot explain Simeon's highhandedness, no more can we understand Judah's words.

It seems to me probable that the case occurred before the establishment of the rabbinic rule that neither witness can be punished unless both are shown to have been guilty. Simeon was therefore within his rights in executing the witness who had given false testimony, even though there was no proof against his colleague. The difficulty lay rather in the fact that the person against whom he had testified had not yet been executed. He had been condemned to death by the decree of the court, but the new evidence impugning the testimony of the witnesses against him had been discovered in time to prevent his execution. Simeon nevertheless proceeded to execute the false witness, thus establishing the new rule that a witness can be punished for his false testimony, even if it led only to a wrong decision by the court and not to actual execution. Simeon was moved to give this new interpretation to the law because of the frequency of false testimony in his days. Compare his statement in Abot 1.9, "Ask the witnesses many questions and be careful with your words lest from them they should learn how to give false evidence." We know also that Simeon's own son was executed on the testimony of false witnesses (Yer. Sanhedrin 6.5, 23a). He considered it a matter of important social policy to extend the law against false testimony in this way. That Simeon was capable of drastic action when he felt there was need for it, we know from the story of his execution of eighty women in Ashkelon (Mishna Sanhedrin 6.4), and from what Josephus tells us of the actions of the Pharisees in the days of Queen Alexandra, when Simeon was their leader (*Antiquities*, XIII, 16, 2). The Pharisees accepted the decision of Simeon, although from Judah's words we can see that there was objection to it, while the Sadducees rejected it as an innovation.

[77] See G. Hoelscher, *Sadduzaeismus*, p. 31 ff.

NOTES TO CHAPTER VIII

[1] For a discussion of the Egyptian and Persian influence on the Jewish doctrine of the Resurrection, see Edwin Albert, *Die israelitisch-juedische Auferstehungshoffnung in ihren Beziehungen zum Parsismus*; A. Bertholet, *Die israelitischen Vorstellungen vom Zustande nach dem Tode*; idem, "Zur Frage des Verhaeltnisses von persischem und juedischem Auferstehungsglauben," in *Festschrift fuer F. K. Andreas*, p. 51 ff.; I. Scheftelowitz, "Der Seelen- und Unsterblichkeitsglaube im Alten Testament," *Archiv fuer Religionswissenschaft*, XIX (1916–9), 210 ff.; Gerhard Kittel, *Die Probleme des palaestinischen Spaetjudentums und das Urchristentum*, p. 78 ff.; Alex. Kohut, "Was hat die talmud. Eschatologie aus dem Parsismus aufgenommen," *ZDMG*, 1867, p. 552 ff.; R. Kittel, *Geschichte*, 3, 1, p. 252;

3.2, p. 744 ff.; Gressmann, *Der Ursprung der israelitisch-juedischen Eschatologie*; E. Boeklen, *Verwandtschaft der juedisch-christlichen mit der parsischen Eschatologie*; Eduard Meyer, *Ursprung u. Anfaenge d. Christentums*, II, pp. 57, 67 ff., 111 ff.; Bousset-Gressmann, *Die Religion d. Judentums*, 269, note; and 509 ff.; and August von Gall, *βασιλεία τοῦ θεοῦ*.

[2] Cf. L. Duerr, *Ursprung und Ausbau der israelitisch-juedischen Heilandserwartung*, especially pp. 69 ff., 102 f., 110 ff. H. Gressmann, *Der Ursprung der israelitisch-juedischen Eschatologie*, p. 193 ff.; J. Greenstone, *The Messiah Idea in Jewish History*; R. H. Charles, *A Critical History of the Doctrine of a Future Life in Israel, in Judaism, and in Christianity*, p. 83 ff.

[3] Isa. 53.9ff. See commentaries ad. loc.; Kittel, *Geschichte*, III, 1, p. 251, and Duerr, op. cit., p. 150 f.

[4] This we must assume in view of the absence of any real influence of Egypt on prophetic teachings in the First Commonwealth, in spite of the overwhelming cultural influence the southern empire must obviously have exerted on the whole of Palestine. Cf. below, p. 574 ff. for the Egyptian influence during later times.

[5] Gen. 50.2, 3, 26.

[6] See Dewey and Tufts, *Ethics*, pp. 78–80; Sorokin-Zimmerman, *Principles of Rural-Urban Sociology*, p. 345; P. A. Sorokin-C. C. Zimmerman-C. J. Galpin, *A Systematic Source Book in Rural Sociology*, I, p. 247; II, pp. 39, 48; Carpenter, *The Sociology of City Life*, p. 231; A. Vierkandt, "Sittlichkeit," in *Handwörterbuch der Soziologie*, p. 538; P. Kropotkin, *Mutual Aid*, p. 124 ff.; F. S. Bogardus, "The City, Spatial Nearness and Social Distance," in *Sociology and Social Research*, XIII (1928–1929), pp. 572–577; N. J. Spykman, "A Social Philosophy of the City," in E. W. Burgess, *The Urban Community*, p. 60; H. Maine, *Ancient Law*, p. 179 ff., and J. H. Kolb-E. de S. Brunner, *A Study of Rural Society*, p. 265. Cf., for a somewhat different approach to the problems involved, Gist and Halbert, *Urban Society*, p. 384.

[7] Cf. also Deut. 5.9; and see Berakot 7a.

[8] Jer. 12.1 et al. See further W. Eichrodt, in *Festschrift Otto Procksch*, p. 59 ff.

[9] See below, p. 415 ff.

[10] Cf. below, p. 226 ff.

[11] See below, p. 219 ff.

[12] Toy, *Judaism and Christianity*, p. 260.

[13] Mishna Abot 1.1; for the following remarks see Abot of R. Nathan, I, ch. 5, 13b.

[14] Dan. 12.2, 13. For a discussion of the significance of immortality and otherworldly punishments in various religions, see M. Landau, *Hoelle und Fegfeuer im Volksglaube, Dichtung and Kirchenlehre*; K. Kohler, *Heaven and Hell in Comparative Religion*.

[15] Josephus, *Antiquities*, XVIII, 1.3. For the controversy between the Pharisees and the Sadducees regarding the resurrection, see Schuerer, II, 459; Bousset-Gressmann, p. 273.

[16] Sanhedrin 10.1.

[17] See below, p. 579; *JQR*, N. S., XVI (1925–6), pp. 22, 143.

NOTES TO CHAPTER IX

[1] For a discussion of foreign influences on the Pharisaic doctrine of angels, see Eduard Meyer, *Ursprung u. Anfaenge*, II, pp. 63 ff., 95 ff.; R. Kittel, *Geschichte*, III, 2, p. 745 f.; Bousset-Gressmann, *Die Religion des Judentums*, p. 499 ff.; Stave, *Ueber den Einfluss des Parsismus auf das Judentum*; J. H. Moulton, *Early Zoroastrianism*, p. 286 ff.; G. W. Carter, *Zoroastrianism and Judaism*; Scheftelowitz, *Die altpersische Religion und das Judentum*; G. Kittel, *Die Probleme des palaestinischen Spaetjudentums und das Urchristentum*, p. 77 f.; and see also citations in note 1, to ch. VIII. With regard to the special questions discussed below, see in particular, L. Ginzberg, article "Anthropomorphism" in *Jewish Encyclopedia*, I. The *bene elohim* of Gen. 6.2 ff. do not form any real exception to the discussion of *malak* given in the text, as has been shown by J. W. Rothstein in *Budde Festschrift*, p. 150 ff.

[2] See further regarding this identification of persons with the head of the household, below, ch. XI, note 2; ch. XIV, note 6.

[3] I find that this interpretation of the theophany is apparently adopted also by B. Jacob, in his commentary on Genesis (*Das Erste Buch der Tora*), p. 438.

[4] Genesis R. 50.9, p. 525.

[5] The custom is mentioned in Rosh Ha-Shanah 16b; see also Genesis R. 44.12, p. 434; it is interesting to note that change of name is *not* cited in the *baraita* regarding the means of bringing change of fortune in Yer. Ta'anit 2, 65b. For parallels among other peoples see J. Scheftelowitz, *Altpalaestinensischer Bauernglaube*, p. 55 ff.; and R. Briffault, *The Mothers*, p. 8 ff. For a discussion of the significance of names among Semites generally, see M. Noth, in *ZDMG*, LXXXI (1927), 1 ff.

[6] Yoma 83b.

[7] *Sefer Hasidim*, ed. Wistinetski-Freimann, 363, p. 111; and 1552, p. 380.

[8] Baer, *'Abodat Israel*, p. 106.

[9] Cf. Bousset-Gressmann, *Die Religion des Judentums*, p. 320.

[10] See below, p. 461.

[11] Cf. Ezek. 9.2; 40.3; and also 3.12; 8.2; 11.24; 43.5; and see Bousset-Gressmann, loc. cit.

[12] For his Babylonian origin, see below, p. 504.

[13] Zech. 1.11, 13; 2.2, 7; 4.1; 6.4. Regarding the possibility of the influence of Zoroastrianism on prophecy at this early time, see Meyer, *Ursprung*, II, p. 95 ff.

[14] Ben Sira 51.12n (Hebrew text). The prayer of the Kingdom of God according to Rab, in the Additional Prayer for the New Year (*'Alenu*).

[15] See below, p. 468 ff. and 500 ff.; for a discussion of Isa. 63.9, see p. 489 ff.

[16] Eliphaz, 4.18; 5.1; 15.15; Bildad, 25.3; Elihu, 33.23.

[17] Mal. 3.1; I Chron. 21.1, 16, 18 ff.; Tobit 3.17; Dan. 3.25; 4.14; 6.23; 8.13; 10.5, 21; 12.1; 12.6; Jubilees 2.2, et al; Testament Levi 5.6, et al.

[18] Regarding these works see below, p. 195 ff.

[19] San. 109b.

[20] Cf. below, p. 601.

[21] Below, p. 557.

[22] Below, p. 216 ff.

[23] See also Ginzberg, *Eine unbekannte juedische Sekte*, p. 229.

[24] *War*, II, 8.7.

[25] Yoma 75b.

[26] Midrash Psalms, 104, 221b.

[27] Genesis R. 26.5, p. 247.

[28] Tosefta, Hagigah 2.2, p. 234.

[29] Mekilta of R. Simeon 6.3, p. 170.

[30] Abot of R. Nathan, I, ch. 1, 3a; cf. San. 59b.

[31] Gittin 90a. *Papus* is the spelling of the Babylonian Talmud for *Pappias*.

[32] Mekilta Beshallah, Vayyehi, ch. 6, p. 112.

[33] Mekilta of R. Simeon 14.25, p. 52.

[34] Mekilta Beshallah, Shirah, ch. 3, p. 126.

[35] Ibid., Jethro, Bahodesh, p. 239.

[36] Cf. Bousset-Gressmann, 322 ff.; Meyer, *Ursprung*, II, 106 ff.

[37] Jubilees 15.27.

[38] Cf., e.g., Mishna Hullin 2.4 with parallel *baraita* in B. Hullin 40a, and Tosefta, ibid., ch. 2. The significance of this difference was first pointed out by Professor Louis Ginzberg.

NOTES TO CHAPTER X

[1] Josephus, *Antiquities*, XVIII, 1.3.

[2] Abot of R. Nathan, I, ch. 5, 13b.

[3] See A. Menes, *Die vorexilischen Gesetze Israels*, pp. 13, 26.

[4] Diodorus Siculus, XIX, 94, ed. Fischer, p. 146. For the opposition to the building of houses in Israel, see Johs. Pedersen, *Israel*, p. 21, as well as the preference for a movable sanctuary recorded below, the attitude of the Rechabites as recorded in Jer. 35.7 ff., and the statement in II Samuel 11.11, that Israel and Judah were dwelling in tents. Does this mean that during a war period large numbers of civilians, too, returned to the nomadic habits of dwelling in tents, just as they grew long hair and withdrew from contact with women?

[5] For opposition to images of the Deity among other peoples than Israel, see Kittel, *Geschichte*, II, p. 82, especially note 2, and references there given; for a discussion of the use of stone images in Israel, see R. H. Pfeiffer, in *JBL*, XLV (1926), 211–222; and G. Dalman, "Ein neugefundenes Jahvebild," in *Palästinajahrbuch*, II (1906), 44 ff.

[6] Cf. Judg. 5.2; and commentaries ad loc.; also Kittel, *Geschichte*, II, p. 55, especially note 1; and p. 316. See also C. M. Doughty, *Travels in Arabia Deserta*, index, s. v. hair; J. Wellhausen, *Skizzen und Vorarbeiten*, III; *Reste arabischen Heidentumes*, p. 167; Smith-Cook, *Religion of the Semites*, p. 607; Frazer, *Folklore in the Old Testament*, III, p. 188 f.; Schwally, *Der heilige Krieg im alten Israel*,

p. 69 ff.; and especially H. Gressmann, "Die Haartracht der Israeliten" in *Budde Festschrift*, p. 61 ff.

Other regulations for a specially Israelitish mode of wearing hair are found in Lev. 19.27; with special reference to the priests, Lev. 21.5; Ezek. 44.20. In rabbinic times, equal emphasis was laid on avoiding arrangement of the hair which resembled that of the pagans, see Baba Kamma 83a; cf. also Me'i. 17a. For similar regulations in the Middle Ages, see my *Jewish Self-Government in the Middle Ages*, p. 233 ff.

[7] See also Ex. 33.6, where it is said that the Israelites were forbidden to wear their ornaments. It is interesting to note in this connection that metal seized in war generally had to be dedicated to God; it could not be used privately; see Josh. 6.19; II Sam. 8.11; I Kings 7.51; 15.15, 18; II Kings 12.19; and note G. Hoelscher, *Geschichte der israelitischen Religion*, p. 78.

[8] A. Jeremias, *Das alte Testament im Lichte des alten Orients*, p. 49.

[9] Smith-Cook, *The Religion of the Semites*, p. 158, 455, 481; and Schwally, *Der heilige Krieg im alten Israel*, p. 6 ff. For continence generally as a form of penance, see I Kings 21.27, and the interpretation given by Koehler, in *ZAW*, XXXIV (1914), p. 149; perhaps also implied in Jer. 29.6, in Baba Batra 60b, and in Cowley, *Aramaic Papyri of the Fifth Century B.C.*, p. 112, papyrus no. 30, line 20. See the interpretation of the passage given by Eduard Meyer, in *Der Papyrusfund von Elephantine*, p. 84, note 1.

[10] For Attica and Greece generally, see J. Hasebroek, *Griechische Wirtschafts- und Gesellschaftsgeschichte*, pp. 20 ff., 36; and especially 80 ff.

[11] For Ahab's cavalry, see Olmstead, *History of Palestine and Syria*, p. 384; the German translation of the original text in Gressmann, *Altorientalische Texte und Bilder*, I, p. 109, last line.

[12] Sellin, *Gilgal*, p. 17 ff., holds that the Gilgal mentioned in I Sam. 11.15 refers to a Gilgal near Shechem and not to the usual, well-known sanctuary near Jericho. But see, in opposition to him, Albrecht Alt, *Die Staatenbildung der Israeliten*, p. 27, note 22. Regarding the series of incidents here briefly referred to, see further, ch. XVI, and notes ibid. That the use of the stone images was really a symbol of assimilation to the Canaanites has already been noticed by Ed. Meyer, *Geschichte des Altertums*, II, 2, p. 227. See also Kittel, *Geschichte*, II, p. 390, and notes ibid.

[13] See above, p. 52 ff.

[14] *War*, II, 8.3.

[15] Ber. 43b.

[16] Cf. Matt. 26.8, where the complaint is ascribed to the disciples; in John 12.4, it is ascribed to Judas Iscariot. But it is clear that the narrative of Mark is the oldest.

[17] Tosefta Shabbat 7(8). 16, p. 118.

[18] Ibid.

[19] Zadokite Document, ed. Schechter, p. 1, line 19; see also Ginzberg, *Eine unbekannte juedische Sekte*, who draws attention to this passage, and shows that it is a parallel to the Assumption of Moses.

[20] Assumption of Moses 7.4 ff.

[21] Leviticus R. 13.4; 35.6; Pesikta of R. Kahana, 117a; Canticles R. on ch. 1, verse 4; cf. B. Hagigah 9b.

[22] Genesis R. 28.7, p. 266.

[23] Abot 2.8.

[24] Ibid. 6.4.

[25] Guedemann, *Geschichte des Erziehungswesens und der Cultur der Abendlaendischen Juden*, II, note XIV; Finkelstein, *Jewish Self-Government in the Middle Ages*, p. 293 f.; Abrahams-Roth, *Jewish Life in the Middle Ages*, pp. 161, 197, 299, 313, 316, 317; for parallels among other peoples, cf. Crawley, in *Encyclopedia of Religion and Ethics*, V, p. 58a; and J. M. Vincent, in *Encyclopedia of the Social Sciences*, XIV, p. 464.

NOTES TO CHAPTER XI

[1] Josephus, *Antiquities*, XVIII, 1.3. For an excellent discussion of the problem of Free Will in biblical and post-biblical writings, see Luetgert, *Das Problem der Willensfreiheit in der vorchristlichen Synagoge*; cf. also Eduard Meyer, *Ursprung u. Anfaenge*, II, p. 115 ff.; Walther Eichrodt, "Vorsehungsglaube und Theodizee im Alten Testament," in *Festschrift Otto Procksch*, pp. 45–70; and G. F. Moore, "Fate and Free Will in the Jewish Philosophies according to Josephus," in *HTR*, XXII (1929), pp. 371–389.

[2] Cf. Pollock and Maitland, *History of English Law*, II, p. 474 ff.; W. S. Holdsworth, *History of English Law*, II, p. 47; Holmes, *Common Law*, p. 11; Wigmore, *Harvard Law Review*, VII, p. 317; L. T. Hobhouse, *Morals in Evolution*, I, p. 92 ff.; E. A. Westermarck, *Origin and Development of Moral Ideas*, I, pp. 217 ff., 260 ff.; idem, *Ethical Relativity*, p. 162 ff.; Johs. Pedersen, *Israel, Its Life and Culture*, p. 132. It is interesting to note that even Plato, in his *Laws* (IX, 873), proposes that "If any beast of burden or other animal cause the death of anyone . . . the kinsmen of the deceased shall prosecute the slayer for murder . . . and let the beast when condemned be slain by them, and cast beyond the borders. And if any lifeless thing deprive a man of life, except in the case of a thunderbolt or other fatal dart sent from the gods — whether a man is killed by a lifeless object falling upon him, or his falling upon them, the nearest kin shall appoint the nearest neighbor to be a judge, and thereby acquit himself and the whole family of guilt. And he shall cast forth the guilty thing beyond the border, as has been said about the animals." Other examples of grave punishment of animals or even inanimate objects, even in comparatively modern times, are cited by Sir James Frazer in *Folklore in the Old Testament*, III, p. 415 ff. See also M. Higger, *Intention in Talmudic Law*, and S. Belkin, *The Alexandrian Halakah in Apologetic Literature of the First Century C.E.*, p. 57 ff.

[3] Cf., e. g., Josh. 7.24 ff. Cf. also the *Code of Hammurabi*, 229.

[4] "*Quod per eum non fuerit vitae remotior morti propinquior*," *Leges Henrici*, 90.11, cited by Pollock and Maitland, *History of English Law*, II, p. 470, note 2;

and W. S. Holdsworth, *History of English Law*, II, p. 53. The most amazing type of vicarious punishment, on the ground of the identification of the master with his household, is that of certain tribes who punish an injured husband if his wife commits adultery (see R. Briffault, *The Mothers*, II, p. 129).

[5] Pollock and Maitland, op. cit., p. 471.

[6] *Leges Henrici*, 90.7.

[7] Pollock and Maitland, op. cit., p. 473. According to Holdsworth (*History of English Law*, II, p. 53) it is said in the laws of Cnut "that, if stolen property is found in a man's home, it was at one time thought that his infant child was 'equally guilty as if it had discretion'—'but henceforth I most strenuously forbid it, and also many things that are hateful to God.' "

[8] It must be borne in mind, of course, that he came from the village of Anathoth.

[9] Cf. Isa. 6.10; 37.7; Jer. 20.7; 11.20; 12.3; 17.10; 20.12; Ezek. 14.9.

[10] See Joh. Fichtner, *Die altorientalische Weisheit in ihrer israelitisch-juedischen Auspraegung* (Beiheft z. *ZAW*, LXII), p. 47. Fichtner points out that while certain detailed ethico-religious maxims of the Proverbs are found, e. g., in the Wisdom of Amen-em-ope, they do not form a consistent and sustained approach such as is worked out in the biblical Wisdom Literature. For a detailed study of the passages involved see E. A. Wallis Budge, *The Teaching of Amen-Em-Apt*, especially pp. 11, and 100, for the older Egyptian moral teaching, and p. 103 ff. for the teaching of Amen-em-ope himself. There can be little doubt that the latter, of all the non-Israelitish writers, alone approached the purity of the plebeian ethics of Jerusalem. Yet, as Budge points out, even he "says nothing about a man's right behaviour to the women of his family, and seems to assume that the man who was wise enough to follow his teaching would need no advice on such private and domestic matters" (p. 131). He writes, Budge continues, "to enable a man to maintain a 'safe' position under all circumstances." And indeed these are practically Amen-em-ope's own words (pp. 140–141 of Budge's translation):

> To know how to return a suitable answer to him that has spoken to him,
> (and) to carry back a (satisfactory) report to the man who has despatched him on a mission,
> (and) will make him to follow a straight course on the roads of life,
> (and) will enable him to maintain his position of safety on earth,
> (and) will cause his heart to descend (or, enter) its case,
> (and) make him steer his course away from evil (or, the evil one)
> (and) make him to deliver himself from the mouth of the common folk (?)
> (and) to be applauded by the mouth of men of understanding."

[11] See Kittel, *Geschichte*, III, 2, p. 725.

[12] Ibid., p. 726.

[13] Cf. *Encyclopedia Britannica*, s. v. Proverbs, Book of; also *Encyclopedia Biblica*, s. v. Proverbs, Book of; see also Nowak in *Hastings' Encyclopedia*, s. v. Proverbs, Book of. Toy's view is adopted by Fichtner, op. cit., p. 7, who stresses the difference in ideology between Prov. 10–15 and 16.1–22.16; and also between 25–27, and 28–29.

[14] *Israels Spruchweisheit*, p. 33 ff.; cf. Fichtner, op. cit., p. 7.

[15] Cf. above, p. 177.

[16] See Erman, "Eine aegyptische Quelle der Sprueche Salomos," *Sitzgsber. d. Pr. Akad. d. Wissenschaften*, XV (1924), 86 ff.; H. Gressmann, "Die neugefundene Lehre des Amenemope u.d. vorexil. Spruchdichtung Israels," *ZAW* (1924), 272 ff.; W. O. E. Oesterley, "The Teaching of Amen-em-ope and the Old Testament," *ZAW* (1927), 9 ff.; Idem., *The Wisdom of Egypt and the Old Testament*; Kittel, *Geschichte*, III, 2, p. 722 ff.; Sellin, in *Deutsche Literaturzeitung*, 1924, col. 1873 ff.; Breasted, *The Dawn of Conscience*, p. 371 ff.; and Paul Humbert, *Recherches sur les sources Égyptiennes de la Littérature Sapientale d'Israël.*

[17] Shabbat 30b.

[18] Prov. 26.4–5.

[19] Meg. 7a.

[20] It may be argued with much plausibility that Purim originated as a provincial spring festival; and that it occurs exactly a month before Passover because in the Palestinian lowlands, spring arrived considerably before it did in Jerusalem, where the national festival was fixed. This suggestion is supported by the fact that one of the main aspects of Purim celebration was the meal (the *se'udah*) which was eaten at nightfall on the fourteenth day of Adar, just as the Passover meal was eaten at nightfall of the fourteenth day of Nisan. The lavishness of the Purim banquets (Meg. 7b) is strongly reminiscent of that associated with the provincial celebrations on the ninth of Tishri, concerning which see above, ch. III, F. And, indeed, just as on the ninth of Tishri, so on Purim, there was a tendency to prolong the meal into the evening; a tendency which the Sages, considering the meal associated with the holiday, resented (loc. cit.). Finally a number of customs, such as that of making bonfires, which are associated with Purim and survived even into medieval times, can only be explained on the basis of provincial origin (Cf. San. 64b; L. Ginzberg, *Geonica*, II, p. 3; B. M. Lewin, *Ozar ha-Geonim*, V, p. 74; N. S. Doniach, *Purim*, p. 72; I. Davidson, *Parody in Jewish Literature*, p. 21, note 33; I. Friedlaender, *JQR*, N. S., I (1910–11), p. 257; Frazer, *Golden Bough*, IX, 359 ff.; X, 106 ff.; S. Reinach, *Cults, Myths and Religions*, tr. from the French, p. 97 ff. H. Malter, "Purim" in *Jewish Encyclopedia*). It is noteworthy in this connection that the Temple authorities granted no recognition to Purim, refusing even to have the Hallel sung on it. It is one of the marks of the religious genius of the talmudic Sages that they transformed this festival into one of spiritual significance. The Mishna and the Tosefta omit all reference to the Purim dinner; they are concerned only with the reading of the Megillah, or Scroll of Esther, and the gifts to the poor. The Festival became for them one of good will and communal responsibility; one of its main aspects was the "Purim collection" which was intended to supply the poor with a festive meal (Tosefta Meg. 1.5, p. 222).

[21] Meg. 19a; Esth. R. 7.8.

[22] Contrast the rabbinic apology in Rashi, Esth. 2.10; also Ginzberg, *Legends of the Jews*, IV, 388.

[23] Ex. 28.3; 31.3. For parallels to Ben Sira's attitude toward labor, cf. F. Oppenheimer, *System der Soziologie*, II, p. 341 ff.

NOTES TO CHAPTER XII

[1] See further Gerhard von Rad, "Die levitische Predigt in den Büchern der Chronik," in *Festschrift Otto Procksch*, p. 113 ff.

[2] For a further discussion of the expression of class conflict in the Psalms, see Kittel, *Die Psalmen*, fifth and sixth eds., commentary on Ps. 64, p. 217 ff., and commentary on Ps. 86, p. 284 ff.; Hans Schmidt, *Das Gebet der Angeklagten im Alten Testament*; A. Causse, *Les "Pauvres" d'Israël*, especially p. 97 ff.; Mowinckel, *Psalmenstudien*, VI, p. 58 ff.

[3] Mishna Abot 3.15.

[4] Josephus, *Antiquities*, XVIII, 1.3.

[5] Josephus, *War*, II, 8.14.

[6] Ber. 33b.

[7] Josephus, *Antiquities*, XIII, 5.9.

[8] See discussion in *Akiba*, p. 203 ff.; cf. Bousset-Gressmann, p. 406 ff.; Schechter, *Some Aspects of Rabbinic Theology*, p. 170 ff.; and A. Marmorstein, *The Doctrine of Merits in Old Rabbinical Literature.*

[9] Mekilta Beshallah, Vayyehi, ch. III, p. 99.

[10] Apparently Abtalyon, like the later patrician scholar, R. Eliezer, believed that redemption from Rome could come through repentance, good deeds, and faith; while the plebeian Shemayah held that the "end" was fixed and irrevocable. For the patrician status of Abtalyon and the plebeian status of his opponent, see *Akiba*, p. 298; and Ginzberg, *Mekomah shel ha-Halakah*, p. 14 ff. In addition to the evidence there presented, the fact that Abtalyon had a Greek name would indicate patrician origin. The concern of his class with nationalist politics is indicated by the warning he gives them that lack of care in their words may lead to banishment, "and ye will go into exile into the place of bad waters, and the disciples who follow you will drink from them, and they will die, and so the Name of God will be profaned" (Abot 1.11). In other words, political quietism was essential for the preservation of the Law. Egypt or Babylonia, to which rebellious scholars might flee would not preserve the Law in pure form. Shemayah, addressing the plebeian pacifists, has no occasion to warn them against outward rebellion. He simply urges them to "love labor and hate office, and to avoid being taken cognizance of by the government." The last phrase does not mean warning them against holding office, but against taking any action which might lead to suspicion. That both Shemayah and Abtalyon were descended from proselytes is highly improbable. It is based, of course, on the insult offered them by the High Priest who, when they greeted him, replied contemptuously, "Let also the descendants of the heathen come in peace" (Yoma 71b). But the insult would have been just as effective if only one had foreign blood. In any event, Abtalyon's patrician standing would not be incompatible with the foreign marriage of one of his ancestors.

[11] Mishna 'Eduy. 5.7.

[12] San. 97b.

[13] Mishna Eduy. 2.9; Tosefta, ibid., 1.14, p. 456.

[14] See S. Schechter's note to his edition of the fragment of "Mekilta on Deuteronomy" in *JQR*, XVI (1904), p. 452 ff., and Hoffmann, in his edition of *Midrash Tannaim*, p. 62, note 9; compare, also, e. g., Mekilta of R. Simeon, 13.5, p. 32 (the parallel passage in Mekilta of R. Ishmael does not mention the merit of the fathers); ibid. 13.11, p. 35, where, however, the influence of the opposing school has become evident in the expression "by thy merit and the merit of thy ancestors." For other references see Ch. Albeck, *Untersuchungen ueber die halakischen Midraschim*, p. 16 f.

[15] Mekilta Beshallah, Vayyassa', ch. 1, p. 158.

[16] Cant. R. to ch. 3, verse 5.

[17] Abot 4.2.

[18] Suk. 52a.

[19] Abot 3.1.

[20] Ber. 60a.

[21] Bezah 16a.

[22] Mekilta, Jethro, Masseket Bahodesh, ch. 7, p. 229; compare Bezah, ibid.

[23] Mekilta Beshallah, Masseket Vayyassa', Ch. 2, p. 161.

[24] 'Ab. Zarah 18a.

[25] Gen. R. ch. 36, beg., p. 334.

NOTES TO CHAPTER XIII

[1] Josephus, *Antiquities*, XIII, 10.6.

[2] See Deut. 19.17; 21.2; 25.2; 25.7. For the Supreme Court in the Temple, see 17.8 ff., as well as 1.17.

[3] Cf. H. H. Schaeder in *Esra der Schreiber*, p. 39 ff.; Kittel, *Geschichte*, III, 2, p. 660 ff.; Gressmann, *Israels Spruchweisheit*, p. 47 ff. For the high position of the scribe in Babylonia, see Meissner, *Babylonien und Assyrien*, II, p. 328, (I owe this last reference to the kindness of Professor E. A. Speiser.)

[4] Schaeder, op. cit., p. 45 ff.

[5] Jubilees 4.17; 19.14; Testament Levi 13.2; John 7.15.

[6] See S. Kaatz, *Die muendliche Lehre und ihr Dogma*, parts 1–2. An interesting example of the superiority of authority over argument in reaching a decision is offered by the incident between Hillel and the Bene Bathyra (Pes. 66a). For the general tendency, cf. Mishna Peah 2.6; Yad. 4.3.

[7] *Monatsschrift*, LXXVI (1932), p. 532.

[8] Jubilees 30.2; cf. also Testament Levi 12.5, and "Aramaic and Greek Fragments" (ed. Charles, p. 254, line 15), where it is stated that Levi's age at the time of Dinah's rape was eighteen, which would make her age twelve, since she was six years younger (Jub. 28.14, 23). See *MGWJ*, loc. cit.

[9] Sifre Num. 112, p. 121.

[10] Mal. 3.10; Neh. 10.38; II Chron. 31.6 ff. See further discussions of this subject, by Ezekiel Kaufmann, in *Ziyyunim* (Memorial Volume for Simhoni),

pp. 101–115; and especially, the standard work of Otto Eissfeldt, *Erstlinge und Zehnten im alten Testament.*

[11] Tobit 1.7. For a discussion of the readings of the various Mss. of this book, see Eissfeldt, op. cit., p. 118 f.

[12] *JBL*, LII, 206, note 3; and see Jubilees 21.16; Testament Levi, 9.11; and the Old Testament of Levi in Charles' edition of the *Testaments of the XII Patriarchs*, p. 248, line 3.

[13] Mishna Ber. 1.1.

[14] Mishna Yoma 3.3.

[15] For the theory that sanctity as well as impurity can adhere to one's body and even to one's clothing, see Smith-Cook, *The Religion of the Semites*, pp. 452 ff., 655.

[16] Jubilees 21.12; Testament Levi 9.12; "Aramaic and Greek Fragments," published in Charles, *Test. of XII Patriarchs*, pp. 248–9; compare Mishna Tamid 1.3. See also *JBL*, XLIX (1930), p. 37.

[17] Tem. 16a.

[18] Shab. 14b. For a discussion of the origin of this rule see A. Buechler, *Der galiläische ʿAm-ha-'Ares*, pp. 130–138; and G. Allon, in *Tarbiz*, IX (1938), pp. 186–188.

[19] Pes. 72b.

[20] Hul. 105a requires washing both before and after meals; the Talmud (ibid., 106a) is significantly more rigorous with regard to the ablutions for the heave-offering than with regard to other food. It is interesting to note that it is customary for priests who are about to recite the blessing of the people in accordance with Num. 6.22 to wash their hands only before the ceremony, and not after it (Sotah 39a). The earliest authority for this ablution is R. Joshua ben Levi, a teacher of the third century C.E. But there is good reason to believe that the custom is much older, as is evident from the norm, "immediately after the washing, follows the blessing" (Ber. 42a; but cited already in Mishna Men. 9.8). The reference to the "blessing" here was originally doubtless the "priestly blessing" and not the Grace after Meat, as Rashi maintains (Ber. ad. loc.), for if he were right, the text would have read, *Birkat Ha-Mazon.* The reason that the blessing of the priests is not followed by a second ablution is clearly that they do not touch any holy thing in the course of this ceremony.

[21] Yad. 4.6. For a discussion of this rule, see N. Bruell, in *Bet Talmud*, II, pp. 319 ff., 325, 368; and III, p. 49.

[22] Kelim 15.6.

NOTES TO CHAPTER XIV

[1] Mishna Shek. 1.1.

[2] Mishna Meg. 3.4.

[3] Mishna Shek. 4.2 ff.

[4] "Megillat Taʿanit," 1.1, Scholion, ed. Lichtenstein in *HUC Annual*, VIII–IX (1931–1932), p. 323; Men. 65a. The Pharisaic view is prescribed as norm in Sifre

Num. 142, p. 188; Sifre Zutta, ibid., 28.2, p. 322. Geiger (*Urschrift*, p. 136), followed by J. Derenbourg (*Essai*, p. 135), maintains, correctly, I believe, that the Sadducean view was supported by priests who led the Sect and who were anxious to protect the Temple's treasury, and spare it every possible expense. There was no conflict between these priests and the pious men of wealth who wanted to supply this sacrifice. J. Wellhausen's objection that the Temple treasury did not belong to the priests, but was a public fund (*Die Pharisäer und die Sadducäer*, p. 70), misses the point entirely. The priests were jealous of the rights of the Temple and anxious to enrich it, not because that benefited them individually, but because it was their institution. Everyday experience reveals similar interests by persons nowadays. The priests were especially moved to maintain this position because it happened that in this instance Scripture and precedent supported their view, Ezek. 45.17, and 46.13. According to the Septuagint, Syriac and Vulgate, which read "he shall offer" instead of "thou shalt offer," the "prince" is definitely obliged to provide the daily sacrifice. Indeed there can be little question that the masoretic reading *ta'aseh* (thou shalt offer) in the latter verse, as well as in 46.14, was substituted for the original *ya'aseh* (he, the prince, shall offer) just because of the susceptibilities on the question either by the Pharisees or their plebeian predecessors. Indeed II Macc. 3.3 expressly states that King Seleucus "actually defrayed, out of his own revenues, all the expenses connected with the ritual of the sacrifices." This can refer only to the daily sacrifice. Reference to a similar gift by the Persian government may be found perhaps in Ezra 6.9; 7.17 ff. It is true that rabbinic tradition distinguished these gifts from those subject to controversy by assuming that these gifts were made to the general fund of the Chamber, and for the provision of a specific daily offering (see R. H. 7a, bottom). But it is clear that the gifts of the Kings were not general gifts to the treasury of the Temple but were intended to provide for specific offerings, which is precisely what the Pharisees considered forbidden.

It is interesting to note, also, that the Chronicler, who ordinarily supports the views of the plebeians, in this instance gives his support to the patrician forerunners of the Sadducees. He specifically states that King Hezekiah provided the funds for the daily sacrifices (II Chron. 31.3). This is additional evidence in favor of Geiger's thesis that the Sadducees in defending the ancient custom were trying to protect the Temple's interests. For, obviously, the only reason which could move the Chronicler to desert his plebeians in this instance was his superior attachment to the Temple of which he was a Levite. His loyalty to the major institution overrode his class prejudice.

On the other hand, the view of the Pharisees is that found also in Josephus, *Antiquities*, III, 10.1. It is based, of course, on Neh. 10.33, which first established the payment of the third of a shekel as annual tax for the purpose of providing the Temple sacrifice. For further discussions of the question, see S. Krauss, in *Ha-Shiloah*, VIII (1901), p. 114; B. Revel, *The Karaite Halakah*, p. 37; R. Leszynsky, *Die Sadduzäer*, p. 68; S. Spiegel, in *HTR*, XXIV (1931), p. 268; Tschernowitz, *Toledoth Ha-Halakah*, I, 2, p. 260 f.

[5] Mishna Yad. 4.6.

[6] Ibid. In our texts of the Mishna a gloss has been added which confuses the argument. For a discussion of the correct text, see *HTR*, XXII (1929), 221, note 86. The question of extended personality in its relation to damages is discussed, of course, in practically all systems of law. Primitive law, generally, holds the slave-owner responsible for the acts of his slave, as indeed it must. This is usually explained on the theory of identification of personality, though there can be little doubt that the theory is merely a rationalization (a very acceptable one, from the slave-owner's point of view) of the necessary social rules. See with regard to this, Pollock and Maitland, *History of English Law*, II, p. 529; A. S. Diamond, *Primitive Law*, p. 510 ff.; Holmes, in *Harvard Law Review*, IV, p. 354 ff. (reprinted in Holmes, *Collected Papers*, p. 65 ff.); Wigmore, in *Harvard Law Review*, VII, p. 315; Hobhouse, *Morals in Evolution*, I, p. 91 f.; E. A. Westermarck, *The Origin and Development of Moral Ideas*, I, p. 267. It is altogether unnecessary to assume with G. Hoelscher, *Der Sadduzäismus*, p. 30 ff., that the Sadducean view was influenced by that of the Romans, though it may be true, to be sure, that the Sadducean judges were encouraged in their view by the fact that it resembled that of the Roman, and indeed most foreign, law.

Geiger, as usual, associates this controversy with a rather naive interpretation of the political events. According to him, the controversy arose with regard to the summons which the Sanhedrin issued to Herod to appear before it, when he had executed without due trial a certain Hezekiah, whom he accused of leading a band of brigands (Josephus, *War*, I, 10.6; *Antiquities*, XIV, 9.3). Herod appeared, but was set free (at least, so Geiger surmises). The Sadducees maintained, according to Geiger, that the reason for Herod's liberation was that he acted under the orders of King Hyrkan II, whose official he was, and insisted that the decision of the Sanhedrin to free Herod set a precedent for all such cases (*Urschrift*, p. 145). J. Wellhausen rightly rejects this ingenious but utterly untenable interpretation of the controversy (*Die Pharisäer*, p. 67). Yet he offers none which is more satisfactory. Leszynsky (p. 86) merely notes that the question of responsibility of masters for slaves is a "very complicated one" and that we need not be surprised at the inability of the Pharisees and the Sadducees to solve it. Tschernowitz (*Toledoth Ha-Halakah*, I, 2, p. 326 f.) simply says that we can "see that the Sadducees retained the older legal theory which puts slaves in the same category as domestic animals, while the Pharisees insisted on the development of jurisprudence and human progress." But he fails to indicate how the Pharisaic view represented progress.

While Geiger's interpretation of the conflicting views is clearly in error, he is certainly right in maintaining that the story of Herod, as told in the Talmud, indicates that in early times even the Pharisees accepted the Sadducean interpretation holding a master responsible for the injuries inflicted by his slave. For as the Talmud tells the story: "A slave of King Jannai slew a man. Thereupon Simeon ben Shattah said to the Sages, 'Let us put our minds to the matter and judge him.' They sent word to King Jannai, saying, 'Thy slave has slain a man.' When King Jannai had delivered the slave up for judgment, the Court sent him another message, saying, 'Come thou also hither . . . The owner of the ox must stand by his ox (when he is being tried).' When the King arrived, Simeon ben Shattah said to him, 'King Jannai, arise that the witnesses may testify against thee. For not before us dost thou stand, but before Him who spoke and brought the world into being '... Jannai, however, answered, 'Not as thou sayest, but as thy colleagues command.' Whereupon Simeon turned to the right, and saw the members of the Sanhedrin hiding their faces toward the ground; and he turned to the left and saw the other members of the Sanhedrin hiding their faces toward the ground. 'You are men of thought,' cried out Simeon, when he saw this, 'may the Master of Thoughts pay your penalty.' Immediately the angel Gabriel descended and smote them all to the ground. It was then that the rule was set down, 'The King may neither judge nor be judged' (San. 19a)." For a discussion of the significance of this ruling as a voluntary withdrawal by the Sanhedrin from a field where it found its views unenforceable, see M. Finkelstein, in *Harvard Law Review*, XXXVII (1924), 338 ff.

In spite of the legendary character of the talmudic story, there can be little doubt that it recalls an actual incident. Jannai has been substituted for Hyrkan II; Simeon ben Shattah for Sameas; and "the slave of King Jannai" for Herod. When these substitutions are recognized it becomes clear, as Geiger, I. H. Weiss (*Dor Dor ve-Doreshav*, I, p. 132), Wellhausen and Leszynsky recognize, that the talmudic story and that of Josephus refer to the same incident. Here again as in the other controversies regarding Civil Law (see above, p. 138 ff.) we find the Pharisaic view developing at a comparatively late period, when the judges of the sect were in charge of courts. This is in striking contrast to the controversies about the ceremonial law which, arising out of the lives of the people and the studies of the scholars, are more ancient than the Pharisaic Order itself.

[7] Kid. 43a. See I. H. Levinthal, "The Jewish Law of Agency," in *JQR*, N. S., XIII (1922–23), p. 159 ff.

[8] Mishna Shab. 1.7. For the division of the later plebeians and patricians on this subject, as well as for the deeper, social analysis of the differences, see *Akiba*, p. 287 ff.

[9] Mishna, Me'i. 6.1.

[10] Josephus, *Antiquities*, XIII, 10.6; XX, 9.1.

[11] Mishna San. 5.2.

[12] Mishna Mak. 1.10.

[13] Mishna San. 5.1.

[14] Mishna Mak. loc. cit.

[15] Mekilta Mishpatim, Kaspa, ch. 20, p. 328; Mekilta of R. Simeon 23.7, p. 156, and comp. Sifre Deut. 94, as emended and explained in *Tarbiz*, III (1931–32), p. 202; and also San. 37b.

[16] Ab. 2.6.

[17] B. M. 83b.

[18] Ber. 60b.

[19] Sifre, Deut. 32.

[20] Matt. 5.41.

[21] See above, p. 39.

NOTES TO CHAPTER XV

[1] San. 89a.

[2] Cf. Gist and Halbert, *Urban Society*, p. 359 ff.; Park, *The City*, p. 24 f.; N. Carpenter, *The Sociology of City Life*, p. 231 ff. While the last two books deal primarily with modern conditions, much of what they say applies, as can readily be seen, also to antiquity. See also Johs. Pedersen, *Israel, Its Life and Culture*, p. 24 ff., and M. Noth, "Die Ansiedlung des Stammes Juda auf dem Boden Palästinas," in *Palästinajahrbuch*, XXX (1934), p. 33. For the principle of equality and its influence on shepherd groups, see F. Oppenheimer, *System der Soziologie*, II, p. 265.

[3] W. F. Albright, *Archaeology of Palestine and the Bible*, p. 131.

[4] Cf. the remarks of so conservative a commentator as G. A. Smith in *The Book of the Twelve Prophets*, I, p. 220.

[5] See Kittel, *Geschichte*, II, p. 438. The story of Hosea's tragic marriage is generally accepted as authentic, although there have been attempts to reject it. See, e. g., L. W. Batten, in *JBL*, XLVIII (1929), 257 ff.; Hoelscher, *Die Propheten*, p. 426 f.; cf., however, most recently, C. Kuhl, in *ZAW*, LII (1934), p. 102 ff.; and U. Cassuto, *Poznanski Memorial Volume*, Hebrew section, pp. 115–35 and the literature cited by them; and also H. G. May, in *JBL*, LV (1936), 285 ff. The influence of the nomadic ideal, which, being part of the prophetic tradition, had its significance even for Hosea, was first recognized by Budde in his famous article in *Preuss. Jahrbuecher*, 1896, p. 57 ff., and is discussed further by P. Humbert in *Marti Festschrift* (*BZAW*, XLI [1925]), p. 158 ff.

[6] Practically all the commentators have noticed the difference between Amos's call to justice and Hosea's demand for truth. Yet they have identified the two concepts, as though both prophets were preaching the same social ideal. See, e. g., the excellent treatise of J. Herrmann, "Die Soziale Predigt der Propheten," in *Biblische Zeit- und Streitfragen*, VI, 12, p. 11 ff.; and W. Caspari, *Die israelitischen Propheten*, p. 60.

[7] See below, p. 468 ff. and cf. especially Isa. 44.11 ff.

[8] Cf. above, p. 220.

[9] That these passages are genuine is now generally admitted; see below, ch. XVII, note 16.

[10] G. A. Smith, *Jeremiah*, p. 5.

[11] Jeremiah does indeed beseech divine vengeance against his private enemies, but he is promised only just punishment for their sins (11.20; 20.12 ff.). The references to the vengeance of God in Jer. 50–51 belong, as is well known, to exilic prophets, concerning whom see below, p. 450. Zephaniah's reference to the fire of God's jealousy (1.18, 3.8) has nothing to do with the idea of jealousy as used by Nahum. The root *kana* came to mean anger, indignation and sense of outrage, rather than envy, among the later writers. Zephaniah uses it in that sense, just as Zechariah does (1.14). The difference between the provincial anthropomorphic

conception of God and the urban sophisticated view of Him persisted for many centuries, as has been demonstrated above, p. 119.

[12] Cf. Ezek. 4.13; see also below, p. 450 ff.; also Deutero-Zechariah, 9.14 ff.; see remarks of G. A. Smith regarding him in *The Twelve Prophets*, II, pp. 450, 460.

[13] B. Meg. 15a.

[14] The conceit significantly occurs but once more in Scripture, in the work of another urban plebeian, Eccl. 9.12, discussed above, p. 236.

[15] As Kittel remarks (*Geschichte des Volkes Israel*, III, p. 144), the study of Ezekiel has today reached an impasse between the rival analyses of Hoelscher (*Hesekiel, der Dichter und das Buch*) and Herrmann (*Ezechiel, uebersetzt und erklaert*). Since Kittel wrote, however, the discussion has been considerably advanced by the studies of Kittel himself, *Geschichte*, op. cit.; Kessler, *Die innere Einheitlichkeit des Buches Ezekiel*; Torrey, *Pseudo-Ezekiel and the Original Prophecy*; Buttenwieser, "The Date and Character of Ezekiel's Prophecies," in *HUC Annual*, VII, p. 1 ff.; Berry, *JBL*, XLIX (1930), 83 ff.; Shalom Spiegel, "Ezekiel or Pseudo-Ezekiel" in *HTR*, XXIV (1931), p. 245 ff., and "Toward Certainty in Ezekiel" in *JBL*, LIV (1935), 145 ff.; Budde, "Zum Eingang des Buches Ezekiel" in *JBL*, L (1931), 20 ff.; Otto Eissfeldt, "Ezekiel als Zeuge fuer Sanheribs Eingriff in Palaestina," in *Palaestinajahrbuch*, XXVII (1931), 58 ff., especially pp. 64–5; W. F. Albright, in *JBL*, LI (1932), 97 ff.; Torrey's replies to his critics, in *JBL*, LI (1932), 179 ff., ibid., LIII (1934), 291 ff.; Herntrich, *Ezechielprobleme*; and Alfred Bertholet, "Hesekiel," in *Handbuch zum Alten Testament*, Tuebingen, 1936. Yet it cannot be said that a satisfactory solution has been reached; for the reason, it seems to me, that textual criticism alone is insufficient to solve the problem. (The excellent commentary of G. A. Cooke in the *International Critical Commentary* appeared after this volume had been sent to press, so that I could use it only in the course of proof-reading. Cooke, too, draws attention to the "singular and complex personality" which "emerges from these writings;" and notes that "different strains of nature seem to have been woven into his character." He "united an intense imagination with a curious, even prosaic, love of detail." See commentary, p. xxvii.)

[16] Josephus, who approximately predicates this date (*Antiquities*, X, 6.3), may have had some traditional basis for his remarks. In any event, the fact that Ezekiel did not begin to preach until the year 592 B.C.E., may be taken as evidence that he was too young to do so before that time.

[17] Ezekiel's descent from the House of Zadok, the ruling priestly dynasty, has usually been assumed on the basis of 44.15 and similar passages. His father's wealth may be assumed from Ezekiel's acquaintance with various luxuries enumerated below and the likelihood of his having traveled to Tyre and Egypt, journeys which could only be undertaken by persons of means.

[18] In this and the following citation, I follow mainly Herrmann's and Hoelscher's reconstruction; cf. their commentaries.

[19] How objectionable this chapter seemed to one who had lived in Jerusalem, even for a time, can be seen from the prohibition against the public reading of it, issued by R. Eliezer ben Hyrcanus (Mishna Meg. end); and his violent anger

against the man who did choose it as a selection. "Go out and announce the disgrace of your mother," the enraged scholar shouted (Babli and Yer. ad loc.).

[20] Hoelscher considers this passage an editorial addition because of its uncouth implications (p. 63). But the very fact that, contrary to later usage, the food is described as *piggul* rather than *tamé*, shows that the text must be from Ezekiel. I consider it part of the original draft, because it is far more natural to suppose that Ezekiel in his later life (or a later editor) would try to soften an original harsh expression than that they would substitute a harsh expression for a cultured one.

[21] Yer. Yeb. 13.2, 14c; Ab. of R. Nathan, I, ch. 16, 32a.

[22] See Jer. chs. 30, 31.

[23] Ezek. 37.15 ff.; see also Gaster, *The Samaritans*, p. 11 ff. The same view was taken by R. Eliezer ben Hyrcanus, likewise a provincial (Mishna San. 10.4).

[24] See Paton, "The Case for the Post-Exilic Origin of Deuteronomy," in *JBL*, XLVII (1928), 322–358, and the literature cited by him.

[25] Such an episode seems to me implied in the visions Ezekiel has of the Temple. Even if we deny the prophet the authorship of Ezek. 40–48, there still remain among the undoubtedly genuine productions of his spirit prophecies which show intimate acquaintance with the Temple structure. The hypothesis that he visited the Temple and saw the secret idolatrous rites makes it unnecessary to attribute to him either clairvoyance or falsehood.

[26] Ezek. 8.3 ff.; cf. II Kings 21.3.

[27] The story of the death of Pelatiah ben Benaiah in Ezek. 11.13 is not clear. Did Pelatiah die while Ezekiel saw the vision? Or when he was describing it? The difficulty has confused the commentators, but it seems to me simple enough; Pelatiah was among the elders who sat before the prophet when he was describing the vision (8.1 ff.), and he was also originally among the worshipers whom Ezekiel had seen at the Temple. In his vision Ezekiel saw Pelatiah once more committing idol worship in the Temple. And as he was telling what he saw, Pelatiah fell dead. W. Staerk's interpretation of the scene as one connected with mystery religion does not seem well-founded. See his *Religion und Politik im alten Israel*, p. 16.

[28] R. Kittel, *Geschichte*, II, p. 462.

[29] It is evident from his prophecies about these peoples that he visited their countries; in no other way could he have obtained so intimate and detailed an acquaintance with their life as is exhibited in ch. 26 ff. The theory which denies Ezekiel's authorship of these chapters seems to me utterly unacceptable.

[30] Compare above, p. 32.

[31] Above, p. 21.

[32] Mekilta Beshallah, Vayyehi, ch. 6, p. 112.

[33] This reconstruction of the original draft of Chapter I may seem daring at first; but closer examination will show that it follows the suggestions of Herrmann (p. 13) who has demonstrated that verse 27 is immediately connected with the beginning of verse 4. The picture thus restored is clear, poetic and quite typical of the prophet in his early days. Herrmann, however, fails to see the contradiction between verse 1b, which places the theophany in heaven, and verse 4a, which places it on earth. Hoelscher recognizes the difficulty, but solves it erroneously,

I think, by assigning verse 1 to the editor (p. 44). For my own explanation of verse 4a, which corresponds more closely to Herrmann's, see below. In any event, the acceptance of verse 1 precludes the acceptance of 4a which definitely contradicts it, and indicates a better acquaintance with Babylonian cosmology, according to which the seat of God is in the North. The key to the original form of 4a is given by the difficult words *venogah lo sabib*: "with brightness round about *him*." As the words stand in our present text, the pronoun *lo* refers to *esh* "fire," but the word *esh* is *never* used in the masculine (see Albrecht, *ZAW*, XVI, 63, and Herrmann, *Ezechiel*, ad loc.). It seems to me clear that the use of the masculine *lo* indicates that *esh* is a "corrected" reading for *ish*, "man." The word *mitlakahat*, which follows *esh* in our text, and means, apparently, "blazing", must be omitted as an editorial gloss to prevent the reading of *esh* as *ish*. That the reading *lo* is correct and that the word *mitlakahat* is an editorial addition, is proven by v. 27b, where the phrase is repeated in the same form without *mitlakahat*. The word *umitokah*, in v. 4b, is futher to be omitted as an attempt to prevent the misreading of *esh* as masculine. As it stands now it makes the verse meaningless. Herrmann, who retains it, must in consequence omit the final words of the verse, "from the midst of the fire," and further take it to mean "and in it" rather than "and from it." It is interesting to note further that in 8.2, the LXX actually retains the reading *ish* rendering it by *andros*, where the Masoretic text has *esh*. In all this alteration of the Masoretic text, no change was made in the consonantal text, even when the masculine pronoun definitely betrayed the different reading of the original draft. Such loyalty to the original text indicates an affection for it which can hardly be reconciled with the hand of the glossator or editor; it would be natural only to the original author who, rejecting his original draft, yet wished to give it some immortality. See further regarding this below. The other emendations applying to vv. 27, 28, are simple and obvious. For quite a different approach to the subject, see O. Proksch, "Die Berufungsvision Hesekiels," in *Budde Festschrift*, pp. 141–149; also, L. Duerr, *Ezechiels Vision von der Erscheinung Gottes*, and now Bertholet, *Hezekiel.*

[34] I add the words, "as it were," here and above, to indicate the *kaf* in the word *kemareh*,—"I saw like the appearance of a man." In spite of his tendency toward anthropomorphism, the prophet does not, of course, ascribe human form to God; he merely insists as did the provincial sages of later times that God *sometimes* appeared in the form of a man. Even this, however, was objectionable to the advanced urban plebeians. For the substitution of *esh* for *ish* in this verse, see Hoelscher, pp. 69, and 72.

[35] *Sefer Hekalot* and *Shi'ur Komah* published in Jellinek, *Bet Ha-Midrasch* II, 41 ff., and III, 91 ff.; republished in Eisenstein's *Ozar Ha-Midrashim*, I, 107 ff.; II, 561 ff. Both were either interpreted allegorically or denounced as spurious by a whole series of philosophers; see Kaufmann, *Geschichte der Attributenlehre in der juedischen Religionsphilosophie*, pp. 11, 86 ff., 90, 217, 261, 359, 497; see also Ginzberg, "Cabbala" and "Anthropomorphism," in *J.E.*, I.

[36] *Yad*, *Hilkot Teshubah*, 3.7.

[37] See above, p. 32. Similarly, Deutero-Isaiah, below, p. 496. For the doctrine of intention, see also above, p. 196.

[38] In this, of course, I follow Hoelscher.

[39] Compare my remarks on Akiba and Paul the Apostle, in *Akiba*, p. 15 ff.

[40] In the light of the present reconstruction of the prophet's work, I see no reason to deny him the authorship of this passage, as is usually done.

[41] Compare the similar use of Sodom in rabbinic literature (Sifre, Deut. 43).

[42] Ezek. 3.17 ff.; 18.21 ff.; 33.10 ff. See also Hoelscher, p. 54.

[43] This, and the following remarks, are based on a reconstruction of the first four verses, which I derive essentially from Herrmann. His view seems to me demonstrated beyond doubt by the fact that LXX has retained at the end of verse 3 the original reading, "and the hand of the Lord was upon me," rather than "upon him," as the Masoretic Text has it. I have already indicated above how careful Ezekiel was to retain the consonantal text of his original draft, even permitting the betraying pronoun *lo* to remain in the masculine, though a feminine was required by his text.

[44] See Appendix B.

[45] It is characteristic of Ezekiel that he dates his prophecies by the reign of King Jeohaichin who was still generally recognized as the true King of Judah. This was the feeling of the other exiles, too, as can be seen from the general joy which greeted the release of King Jehoiachin (II Kings, end). In fact as late as IV Ezra, this feeling was still recognizable, and the author (ibid. 1.1) indicates that Saalthiel, the son of Jehoiachin, would use his father's, and not his uncle's life, as a basis for his reckoning.

[46] Jer. 51.1 ff.; for the authors of these passages, see below, p. 450.

[47] The device is known also among other peoples. In 1894, Professor Ludwig Quidde published a book entitled *Caligula, eine Studie uber römischen Caesarenwahnsinn*, which was generally taken to refer to the reigning Kaiser. (I owe this information to Mr. Rollo Ogden.) It may be argued against this theory that the prophecy which Ezekiel uttered actually applied to Tyre. To do this is to miss the point I am trying to make. Ezekiel was talking about Tyre, of course; but he read into her the evils which he knew were associated with Babylonia. In other words, we have here a case of psychological transference, of which many writers of history and biography are notoriously guilty.

[48] The theory that Babylonia is intended by Magog has already been advanced by Ewald, *Die Propheten des alten Bundes*, second edition, I, p. 531; English translation, IV, p. 182; and Meinhold, *Einfuehrung in das Alte Testament*, p. 236. Neither of these authors, however, has recognized the peculiar cipher which apparently produced the word Magog.

[49] The identification of Edom with Rome — the most common of all — occurs e. g. in 'Ab. Zarah 10a; Yoma 10a; Gen. R. 41(42). 2, p. 399; the identification of Assyria with other peoples is made in Gen. R. 16.4, p. 148; and there can be little doubt of the identification of Rome with the Egyptians in Mekilta, Beshallah, ch. 1, p. 94, et passim. For a similar and very amusing example of such a transference in the mind of a modern writer, see H. W. Nevinson, *Last Changes Last Chances*, p. 326.

[50] Indeed, the expression "Kingdom of Arrogance" is regularly used for Rome in the prayers.

[51] Shmarya Levin, *Youth in Revolt*, p. 29.

[52] P. Kropotkin, *Memoirs of a Revolutionist*, p. 359.

[53] Booker T. Washington, *Up from Slavery*, p. 7.

NOTES TO CHAPTER XVI

[1] After I had written this chapter, I noticed that V. Aptowitzer has already drawn attention to the opportunism of both the Hellenists and the Sadducees — the patricians of the period with which he is concerned — in his *Parteipolitik*, p. IX. For a curious parallel to the ultra-nationalism of the ancient Palestinian peasant in England, cf. Kent, *The Early History of the Tories*, pp. 31–35; and see also G. P. Gooch, *Nationalism*, pp. 40–49.

[2] Cf. Deut. 28.64; I Sam. 26.19; Ezek. 4.13; Amos 7.17.

[3] Sifre Deut. 37.

[4] Cf. II Kings 15.20, and commentaries, ad loc.; M. Weber, *Religionssoziologie*, III, p. 32 ff.; Meyer, *Geschichte des Altertums*, II, 2, p. 255; Lurje, *Studien*, p. 17; A. Menes, *Die vorexilischen Gesetze*, p. 70.

[5] "The Moral Equivalent of War," in *Memories and Studies*, p. 265 ff., reprinted from *McClure's Magazine*, August, 1910.

[6] For this as a general attitude of the city dweller, cf. John Bakeless, *The Economic Causes of Modern War*, pp. vii–viii, and 11–12.

[7] Compare the incident described in the letters of Zenon, in *Pubblicazioni della Società Italiana*; *Papyri greci e latini*, IV–VII, 406; cited and described by Tscherikower, in *Tarbiz*, IV (1932–33), p. 231 ff.

[8] Mishna, 'Uk., end.

[9] A reconstruction of the background of the Cain-Abel story, which has much in common with the above, is offered by Abram Menes in a brilliant article in *ZAW*, XLIII (1925), 46 ff. I cannot, however, follow him in his attempt to recover the original form of the story in our present text. The motif was, doubtless, borrowed from the Kenites, the text is original in Israel. For a further discussion of the story, see S. D. Goitein, in *Zion*, II (1937), 11. For the general characterization of the shepherd groups, see M. Weber, *Religionssoziologie*, III, 59 ff.; and cf. F. Oppenheimer, *System der Soziologie*, II, 270 and 276.

[10] Compare the similar belief of Ben Sira in the superiority of the scholar, cited above, p. 222; the clear partiality of the priests toward members of their class (see e. g., *Akiba*, p. 291, and Aptowitzer, *Parteipolitik*, esp. ch. V ff.); the idealization of the patriarchs as mechanics rather than shepherds, in the Book of Jubilees, which belongs to an artisan age (Jub. 11.23; cf. also Test. of Zebulun, 6.1 ff.); and the reconstruction of the patriarchs and prophets as rabbinic teachers in the rabbinic tradition (cf. Josephus's account of Abraham, *Antiquities*, I, 7.8; and that of David in Ber. 4a; 'Er. 53a; M. K. 16b). Similarly, Tenney Frank explains the high respect which the Roman peasant enjoyed in earlier American historiography

by the fact that America was still an agricultural people; with the rise of urban civilization, the judgment is being revised and historians tend to go to extremes in depreciating the ancient farmer (*Social Behavior in Ancient Rome*, p. 64).

[11] See above, p. 164.

[12] San. 39b.

[13] Weber, op. cit., p. 59 ff. Cf. also p. 245 ff. So also, O. Eissfeldt, *Krieg und Bibel*, p. 35 f.

[14] See Sorokin and Zimmerman, *Principles of Rural-Urban Sociology*, p. 339 ff.; A. S. Diamond, *Primitive Law*, p. 224.

[15] Cf. II Sam. 14.4; II Kings 6.26; 8.3 ff.

[16] Menes, *Die vorexilischen Gesetze*, p. 25. It is noteworthy that, as Beloch (*Griechische Geschichte*, I, 1, p. 347) points out, the similar assemblages in Greece gained power especially during the struggles between the King and the nobility.

[17] It was this dependence of the patricians on the peasantry for military assistance which in other countries, as in Israel, led to the reorganization of the State and the admission of the oppressed classes into political power. See regarding this Rostovtzeff, *A History of the Ancient World*, II, 33; Tenney Frank, *An Economic Survey of Ancient Rome*, I, 10; idem, *An Economic History of Rome*, 40; and M. Weber, "Agrargeschichte (Altertum)" in *Handwörterbuch der Staatswissenschaften*, I, 70a.

[18] See above, p. 186 ff.

[19] R. Kittel, *Geschichte*, II, pp. 54, 88 ff. Curiously enough the historians generally assume, in spite of I Sam. 4.1, 9, that the Philistines were the aggressors in these struggles. Yet, if they were, how can we explain the fact that they passed over the Judaites, their immediate neighbors, and concentrated their attack on the northern tribes. Eduard Meyer (*Geschichte des Altertums*, II, 2, p. 240) feels this difficulty, of course, but offers no solution to it. Albrecht Alt, who also considers the Philistines the aggressors, similarly struggles hard to explain why they should have sought control of the less fertile hill country, especially when they were apparently without sufficient numbers to occupy all the coastal plain (*Die Staatenbildung der Israeliten in Palaestina*, p. 6 ff.). He maintains that it is impossible to suppose that the untrained Israelite militia would dare attack the better equipped, well-disciplined Philistines. But in this assumption, he loses sight of the fierce faith of the Israelite tribes, and the confidence which their conquest of the hill country had given them. The assumption that the Philistines set out to establish for themselves an overlordship over the whole country, which indeed they ultimately obtained, seems to me less reasonable than the supposition, supported by the text of Scripture, that the Israelites coveted the coastal plain. This theory also is necessary to explain the terms of the covenants in Gen. 21.23 and 26.29, which are clearly intended to prevent Israelite aggression against the Philistines.

[20] R. Kittel, *Geschichte*, II, 82 f.

[21] I Sam. 2.13 f., 17. The accusation of impurity made in v. 17 is not found in all Mss. of the Septuagint, and may be secondary. Most probably, however, it reflects an old tradition regarding the sons of Eli, even if it was lacking in the orig-

inal source used by the editor of the Book of Samuel (see H. P. Smith, in *International Critical Commentary*, ad loc.).

[22] It is probable that both names, Hofni and Phinehas, are of Egyptian origin (see Eissfeldt, in *Religion in Geschichte und Gegenwart*, vol. II, s.v. Eli); see also Brown-Driver-Briggs, *Lexicon*, s.v. Phinehas; the authors consider the word Hofni of Sabaean origin.

[23] See p. 586 ff.

[24] Kittel, op. cit., 89 ff.

[25] See Kittel, op. cit., 91, note 3; and Wellhausen, *Israelit. und jued. Geschichte*, p. 51. Gunkel, too, seems inclined to accept the importance of Samuel, even on the basis of the meager material left intact by the critical analysts (see his article, "Samuel," in *Religion in Geschichte und Gegenwart*, V, 103). On the other hand, Eduard Meyer, *Geschichte des Altertums*, II, 2, p. 243; Alt, *Die Staatenbildung der Israeliten*, p. 18 f. and S. A. Cook, *Critical Notes on Old Testament History*, p. 34 f., are inclined to minimize his importance.

[26] I Sam. 7.16. See commentaries ad loc.; but compare Kittel, op. cit., p. 98.

[27] According to Josephus, *Antiquities*, VI, 3.2 (32), one was placed in Beth-el and the other in Beer-sheba.

[28] The supposed victory of Samuel over the Philistines in I Sam. 7.10 ff. would make the appointment of a King and his battles against the Philistines utterly inexplicable. But Kittel rightly points out that the rejection of the story of the battle does not invalidate the story of the gathering at Mizpah, which seems genuine (op. cit., 94 ff.). Regarding this pacifism, see below.

[29] For a recent recognition of the preëminent position of Samuel in the appointment of Saul, see O. Eissfeldt, *Die Komposition der Samuelisbuecher*, p. 7 ff. He recognizes I Sam. 10.21–27 as the oldest story of the appointment of the King.

[30] Saul's adherence to the YHWH worship in the beginning is sufficiently attested by the name of his oldest son, Jehonathan.

[31] Whether Saul ruled over a fully united Israel has in recent years been much disputed. The theory that he obtained the formal adherence of all the tribes, with the possible exception of Judah, is now generally accepted. Yet see, e. g., W. Erbt, *Die Hebraeer*, p. 55; Eduard Meyer, *Geschichte des Altertums*, II, 2, p. 42. With regard to the relation of the monarchical ideal to those of Canaan, cf. Pedersen, *Israel, Its Life and Culture*, p. 22.

[32] The usual rejection of I Sam. 13.8 ff. as a mere parallel to I Sam. 15.1 ff. seems to me not well founded. Smith, in the *International Critical Commentary to Samuel*, p. 21, has advanced cogent reasons for accepting I Sam. 13.8 ff. as belonging to the oldest stratum of the book. His opinion is also shared by Eduard Meyer (*Geschichte des Altertums*, II, 2, p. 244). O. Eissfeldt (*Die Komposition der Samuelisbuecher*, p. 11) assigns it to the middle stratum; see also his article "Samuelisbuecher" in *Religion in Geschichte und Gegenwart*, V, p. 104. The story of the rejection of Saul by Samuel in I Sam. 15.22 f. is of course a reduplication of 13.8 f. It is interesting to note, in this connection, that both stories deal with sacrifices, and both center in Gilgal. There can be little doubt therefore that they are derived from an old tradition which associated Samuel's quarrel with Saul with a sacrifice

in Gilgal. Probably, I Sam. 13.8 ff. has retained the more correct version of the first quarrel between the men. The compiler of the second tradition, built on the fact of Saul's battle with the Amalekites and his quarrel with Samuel concerning the *herem*, has seen fit to strengthen his story with the addition of some details which originally belonged to an entirely different incident. It was this confluence of the stories which made them resemble each other so completely. The story of the Amalekites, rejected by Smith, op. cit., as entirely fictitious, is accepted in its main elements by practically all the other writers, see Kittel, Gunkel, and Meyer, op. cit.; as well as Alt, *Die Staatenbildung der Israeliten in Palaestina*, p. 31. For further opposition to Gilgal, by later prophets, cf. Hos. 9.15, "All their wickedness is in Gilgal"; Amos 5.5, "For Gilgal shall surely go into captivity." Sellin (*Gilgal*) supposes that the original Temple of Gilgal was situated in a Gilgal near Shechem; and that subsequent writers transferred the traditions relating to that sanctuary to the one near the Jordan. What seems to me more probable is that later writers attempted to construct a theory for the importance which they knew attached to Gilgal, without justifying the Temple which had been established there. See, e. g., Josh. 5.9.

[33] The verse according to which Samuel commanded Saul to resort to Gilgal (I Sam. 10.8) contradicts the one which precedes it, and is almost universally rejected as a late gloss (Wellhausen, *Die Composition des Hexateuchs und der historischen Buecher des AT*, 245 ff.; Stade, *Geschichte des Volkes Israel*, I, p. 211).

[34] I Sam. 13.3; 14.1 ff.

[35] II Sam. 2.8. The name *Ish-bosheth* is of course substituted for Ish-baal by the scrupulous copyists; but the original form has been preserved in I Chron. 8.33; 9.39. Whether Ishui in I Sam. 14.49 is also a copyist's correction for Ishbaal or was another son of Saul is not yet determined (see Ewald, *Geschichte des Volkes Israel*, 3rd ed., III, p. 148). The fact that Saul's three (presumably, oldest) sons were killed in the battle of Gilboa, and Ishbaal, apparently still a very young man, survived, would seem to indicate that Ishui was simply an older child. Regarding David's son, Baal-yada, see below, note 49.

[36] That Meribaal was the original form of this name is now generally recognized (I Chron. 8.34; 9.40; see E. Nestle, *Israelitische Eigennamen*, p. 120 ff.).

[37] Hence it came about that Gibeon was the center of Benjaminite estates, see Josh. 18.25; 21.17; II Sam. 2.12 ff.; Solomon's sacrifice at Gibeon (I Kings 3.4) was doubtless intended to insure the loyalty to the Benjaminites; while the prominence given in Chronicles to the sanctuary in Gibeon reflects the importance of the tribe of Benjamin in the third century B.C.E. (Cf. I Chron. 16.39; 21.29; II Chron. 1.3, 13).

[38] See S. Klein in *Monatsschrift*, LXXX (1936), p. 204.

[39] The political significance of the attack on Amalek has already been recognized by Kittel, *Geschichte*, II, p. 106, note 3. That I Sam., ch. 15, has an historical kernel, even though the present form of the story may be late, can hardly be doubted. So, for instance, Eduard Meyer, *Geschichte des Altertums*, II, 2, p. 245; Eissfeldt, *Krieg und Bibel*, p. 14.

[40] The *herem*, or principle of destruction of booty, originated probably in the

thought of consecrating to God the first and most important part of material gained in battle, just as the first of the products of the earth were dedicated to Him. Nevertheless, there can be little doubt, in view of what has been said in the text, that the *herem* did become, in the hands of the earliest prophets, an instrument of propaganda against aggression. Whether it had the same significance outside of Israel, I am unable to say. See, however, S. Reinach, *Cults, Myths and Religions* (Eng. tr., Elizabeth Frost), p. 44 ff.; and cf. Schwally, *Der heilige Krieg im alten Israel*, p. 29 ff. For a reference to the *herem* principle outside of Israel, see the Mesha Inscription, lines 11–12.

[41] Wellhausen, *Israel.-juedisch. Geschichte*, p. 54.

[42] See, e. g., O. Eissfeldt, *Die Komposition der Samuelisbuecher*, p. 23.

[43] The creation of money economy and trade had actually led to the development of the royal power in Egypt (Brentano, *Das Wirtschaftsleben der Antiken Welt*, p. 8 ff.) and probably would have brought about similar centralization of authority in Israel, had the Davidic dynasty survived. For the failure of these results to follow in Northern Israel and in Greece, see below, p. 392 ff. For a recognition of the wider social and economic significance of David's military and political policies, see G. Hoelscher, *Geschichte der Israelitischen Religion*, p. 93; Margaret B. Crook, "Some Cultural Principles in Hebrew Civilization," in *JBL*, L (1931), p. 167; Franz Walter, *Die Propheten in ihrem sozialen Beruf und das Wirtschaftsleben ihrer Zeit*, p. 30 ff.; Johs. Pedersen, *Israel, Its Life and Culture*, p. 38 f.

[44] For the authenticity of the main tradition in II Sam. 7, see L. Rost, *Die Ueberlieferung von der Thronnachfolge Davids*, p. 47 ff.; O. Eissfeldt, *Die Komposition der Samuelisbuecher*, p. 33.

[45] For the children who bore "baal" names, see below.

[46] It is possible that the family of Barzillai which befriended David (II Sam. 17.27) was also admitted to the priesthood. This is a more likely explanation of the claims put forward by the sons of Barzillai in 538 B.C.E. (Ezra 2.61) than that which they actually made — according to the usual method of reconciling contradictory genealogies in ancient Palestine — that they were descended from the daughters of Barzillai. See also Kittel, *Geschichte*, II, p. 251.

[47] II Sam. 5.17; 8.1.

[48] Note that his first wife after he became king was the daughter of an Aramean King (II Sam. 3.3); and cf. also Gen. 38.2 ff.; 46.10; and see especially II Sam. 6.10.

[49] Indeed, in his old age, he actually named one of his sons Baal-yada, "Baal knows." Perhaps, he did this after the revolution of Absalom so as to win back the northern tribes and the lowlanders. At any rate, it is clear from II Sam. 5.13 ff. that Baal-yada was younger than Solomon. For the name Baal-yada, instead of El-yada, see I Chron. 3.5 ff.; 14.4 ff., and commentaries to Samuel, loc. cit.

[50] Compare Kittel, *Geschichte*, II, p. 226 f.

[51] See above, p. 189.

[52] The common assumption that the opposition to the whole system of royalty must be post-exilic seems to me to be without foundation. The cry, "Each man to your tents, O Israel," certainly original, shows how strong the desire for a return to the earlier feudalism was.

[53] I Kings 12.29.

[54] Cf. I Kings 12.25; his establishment of his capital in Shechem probably involved the reconstruction of its Temple. See also Olmstead, *History of Palestine and Syria*, p. 353.

[55] See Kittel, *Geschichte*, II, 280; Olmstead, *History of Palestine and Syria*, p. 354 ff.

NOTES TO CHAPTER XVII

[1] II Kings 20.34. This seems to me more probable than the assumption that he was compelled to surrender the privilege under duress (Kittel, *Geschichte*, II, p. 300; and less positively, Olmstead, *History of Palestine and Syria*, p. 369, as well as Wellhausen, *Israelit.-juedisch. Geschichte*, p. 70).

[2] For Omri's building exploits, see Olmstead, loc. cit.

[3] This interpretation of events is also accepted by G. Hoelscher, *Die Propheten*, p. 170. W. Erbt (*Die Hebraeer*, p. 116) finds the YHWH following in the general peasantry as opposed to the city patricianship. See, also, Franz Walter, *Die Propheten in ihrem sozialen Beruf und das Wirtschaftsleben ihrer Zeit*, p. 69 ff.; as well as the compact, but extremely interesting monograph of Justus Koeberle, *Soziale Probleme im alten Israel und in der Gegenwart*, p. 26 f. Cf. further, Sven Herner, "Athalia," in *Marti Festschrift* (*BZAW*, XLI [1925], 140). Similar conditions in Attica led to the reforms of Solon, see I. M. Linforth, *Solon the Athenian*, p. 49; Brentano, *Das Wirtschaftsleben der antiken Welt*, p. 38; and Hasebroek, *Griechische Wirtschafts- und Gesellschaftsgeschichte*, 164 ff. For the similar struggle in Rome, cf. Tenney Frank, *An Economic Survey of Ancient Rome*, I, p. 10, and *Cambridge Ancient History*, VII, pp. 452, 468, and 471. For a general discussion of the social phenomena, see Zimmerman, s. v. "Rural Society" in *Encyclopedia of Social Sciences*, XIII, 470, but especially Eduard Meyer, *Kleine Schriften*, I, p. 110 ff. The historical character of the incident at Mount Carmel is defended on other grounds by Albrecht Alt in *Festschrift Georg Beer*, p. 1 ff. (This reference and four or five other suggestions were given me by my friend, Dr. H. L. Ginsberg, who kindly read part of this book in page proof).

[4] Menander, cited by Josephus in *Antiquities*, VIII, 13.2 (324).

[5] The representatives of this faction were, of course, such prophets as those described in I Kings 20.35; 22.11 ff. See also, G. Hoelscher, *Die Propheten*, p .178 ff.

[6] This is apparently indicated in II Kings ch. 5. So also, Alfred Jeremias, op. cit., p. 618. For the high place of Aram in early prophetic thought, cf. the insistence of the patriarchs on the marriage of their children to Arameans (Gen. 24.10; 29.4 ff.); see also Deut. 26.5 where Jacob is called an Aramean; and the recognition of the prophetic powers of Balaam, the Aramaic soothsayer (Num. 23.7). It has even been suggested that there was a Syrian Judah at the northern end of Aram and it is claimed that several rulers in that region showed by their names that they were worshipers of YHWH. See Olmstead, *History of Palestine and Syria*, p. 251. Olmstead reminds us also that Gen. 31.24, 29 implies the worship of YHWH in Aram.

[7] II Kings 8.9. For a brilliant discussion of the issues raised in the text, cf. H. Gunkel, *Geschichten von Elisa.*

[8] Olmstead, op. cit., p. 399.

[9] Cf. *Cambridge Ancient History*, IV, p. 34 ff.

[10] Menes, *Die vorexilischen Gesetze Israels*, p. 16 ff.

[11] Cf. O. Eissfeldt (*Krieg und Bibel*, p. 47), who traces the development of the ethical concept that only righteous wars are "wars of the Lord" back to Amos. For a discussion of the issues which arose in this war and for varying interpretations of the policies of the prophet and the King, see K. Budde, "Jesaja und Ahaz" in *ZDMG*, LXXXIV (1930), p. 125 ff.; and cf. Begrich, "Der Syrisch-Ephraimitische Krieg," ibid., LXXXIII (1929), p. 213 ff.; Otto Procksch, *Der Staatsgedanke in der Prophetie*, p. 30; Willy Staerk, *Religion und Politik im alten Israel*, p. 4. Albrecht Alt, in his *Israel und Aegypten*, p. 67, indicates that the prophet was quite pro-Assyrian even at this time; yet I believe that to do complete justice to Isaiah, it is necessary to point out also the subtle difference between his policy and that of the King.

[12] The narrative in II Kings 18.4 has been rejected as post-exilic and spurious by many commentators, but has found a valiant defender in R. Kittel (*Geschichte*, II, p. 476).

[13] Compare Cowley, *Aramaic Papyri of the Fifth Century B.C.*, Introduction, p. xviii ff.; Eduard Meyer, *Der Papyrusfund von Elephantine*, p. 57 ff.

[14] Deut. 18.1 et al. See also Menes, *Die vorexilischen Gesetze*, pp. 8, 96 ff., 105 ff. and cf. also *Akiba*, p. 94 ff.

[15] Albrecht Alt, who accepts the general historicity of II Kings 20.12–20, places the incident about the year 720 B.C.E. (*Israel und Aegypten*, p. 67). The general interpretation of the opposition between King and Prophet on this issue remains unchanged.

[16] The genuine character of the Messianic prophecies in Isaiah has been disputed for some decades with much vigor. Even today, W. L. Wardle, in *The History and Religion of Israel* (Clarendon Bible, I), p. 188, maintains that they are of later age. While authorities are not altogether in agreement regarding the precise passages which come under this head, it is generally held that they include 2.2–4; 11.1–9; 32.1–5, 15–20. The tendency of most recent criticism has been, however, toward recognizing their authenticity; see commentary of Proksch, to Isa. 11.1 ff.; and A. Causse, *Les Prophètes d'Israël et les Religions de l'Orient*, p. 133 f. This tendency has been strengthened by the evidence adduced by various writers to show that the Messianic ideal arose not in post-exilic Israel under the influence of foreign systems of thought, but is inherent in the oldest strata of Hebrew literature. See Sellin, "Die israelitisch-juedische Heilandserwartung" in *Biblische Zeit- und Streitfragen*, V, 2–3; H. Gressmann, "Der Ursprung der israelitisch-juedischen Eschatologie," in *Forschungen zur Religion und Literatur des alten und neuen Testaments, Heft* 6; L. Duerr, *Ursprung und Ausbau der israelitisch-juedischen Heilandserwartung.* For the fundamentally religious character of the political views advocated by Isaiah and the other prophets, see especially F. Wilke, *Die politische Wirksamkeit der Propheten Israels*, p. 64 ff.

[17] See below, p. 581.

[18] See below p. 607.

[19] The correct interpretation of this passage, involving the interruption of the passage at this point, was first recognized by Eduard Meyer, see his article "Bevoelkerungswesen (Bevoelkerung des Altertums)" in *Handwoerterbuch d. Staatswissenschaften*, II, 898 ff. For a full discussion of the events see Albrecht Alt, article "Hiskia," in *Religion in Geschichte und Gegenwart*, vol. II; in *Israel und Aegypten*, p. 68 ff.; and "Nachwort ueber die territorialgeschichtliche Bedeutung von Sanherib's Eingriff in Palaestina," *Palaestinajahrbuch*, XXV (1929), pp. 80–88; W. Rudolph, "Sanherib in Palaestina," ibid., pp. 59–80; Otto Eissfeldt, "Ezechiel als Zeuge fuer Sanherib's Eingriff in Palaestina," ibid., XXVII (1931), pp. 58–66; Julius Lewy, *Orientalische Literaturzeitschrift*, XXXI (1928), col. 150 ff.; Otto Procksch, *Jesaia*, I, p. 460 and *Der Staatsgedanke in der Prophetie*, p. 35; I. Friedlaender, *Past and Present*, pp. 25, 59 ff.; S. Feigin, *Horeb*, II, pp. 17–36; *Ha-Doar*, XVI, 137, pp. 427–8; *Cambridge Ancient History*, III, pp. 388–91; Leo Honor, *Sennacherib's Invasion of Palestine*; U. Cassuto, article "Jesaja" in *Encyclopaedia Judaica*, IX. For a full discussion of the events see Albrecht Alt, *Israel und Aegypten*, p. 68 ff.; and "Nachwort ueber die territorialgeschichtliche Bedeutung von Sanherib's Eingriff in Palaestina."

[20] *Records of the Past*, vol. VI, p. 90 ff.; accessibly reprinted in the *Cambridge Bible*, *Isaiah* I–XXXIX, p. 18; for the whole period, see Jeremias, *Das Alte Testament im Lichte des alten Orients*, p. 590 ff.

[21] Yeb. 49b.

[22] See also A. Menes, *Die vorexilischen Gesetze*, p. 98.

[23] See also below, ch. XX. H. Winckler goes too far, however, in my opinion, when he assumes that there was intense prophetic activity during the reign of Manasseh (*Geschichte Israels*, I, p. 99). See, however, W. Staerk, *Das assyrische Weltreich im Urteil der Propheten*, p. 153.

[24] Whether the provinces which had been taken from Judah were restored to her in the days of Hezekiah is uncertain; there is good reason to believe that this occurred only in the time of Manasseh, see Albrecht Alt in *Palaestinajahrbuch*, XXV (1925), 87; and Otto Eissfeldt, ibid., XXVII (1931), 63. For the impoverishment of Judah during the last days of Hezekiah and the early days of Manasseh, see now also R. H. Pfeiffer in *JBL*, XLVII (1928), 184–6.

[25] II Kings 24.16; cf. ibid. 14; Jer. 24.1; 29.2.

[26] Jer. 29.1; 50.59. The Septuagint indicates that the second delegation, too, was sent from Zedekiah, and that the King himself did not participate in it. Regarding the authenticity of the record in Jer. 50.59, see G. Hoelscher, *Die Propheten*, p. 289; as well as Peake's note in the *Century Bible*, Jeremiah II, p. 278; and his citations of older authorities.

[27] Cf. W. F. Albright in *JBL*, 1932, p. 103 ff., and references there given; see also his *Archaeology of Palestine and the Bible*, p. 172.

[28] It seems probable that Gemariah ben Shaphan who is recorded in Jer. 36.12 as the man in whose chamber Jeremiah read his scroll of prophecies to the people (Jer. 36.12) was a brother of this Ahikam, and therefore an uncle of Gedaliah.

Another member of the family, Elasa ben Shaphan, appears in Jer. 29.3 as the person who, as one of the commission sent by King Zedekiah to offer tribute to the Great King, bore with him an epistle from Jeremiah to the exiles.

NOTES TO CHAPTER XVIII

[1] See Kittel, *Geschichte*, II, p. 401 ff. and also Walther Eichrodt, in *Festschrift Otto Procksch*, p. 52 f.

[2] Cowley, *Aramaic Papyri of the Fifth Century B.C.*, p. 20.

[3] Shab. 145b.

[4] See note 6 below.

[5] Cf. Jer. 29.1, 4, 20; Lam. 1.1 ff.; 2.1 ff.; 4.2, 12, 22; contrast, however, the references to the exile of Judah in Jer. 1.3; 24.4; 28.4; 29.22; 40.1; 52.28 ff.; Lam. 1.3; I Chron. 5.41. Many of these passages are, of course, quite late.

[6] This is of course not to deny that the fortresses were destroyed and many provincial cities were burned to the ground. But the farmers, as a class, escaped unscathed. See Kittel, *Geschichte*, III, 1, p. 66 ff.; Albright, *Archaeology of Palestine and the Bible*, p. 172; Albrecht Alt, in *Festschrift Otto Procksch*, p. 15.

[7] For the importance of the trade routes which pass through Ludd, see Albrecht Alt, in *Palaestinajahrbuch*, XXI (1925), 48, and *ZDMG*, LXXIX (1925), 4; G. Dalman, *Sacred Sites and Ways*, p. 226; also *Palaestinajahrbuch*, IX (1913), 35 ff.

[8] At any rate the Idumeans, pressed by the Nabatean invasion of their country, spread throughout the southern section of Judah (see Kittel, *Geschichte*, III, 1, p. 70 ff.; especially, p. 72). Hence it came about that in rabbinic literature *Darom* (the later term for *Negeb*) is the equivalent of Edom or Idumea. (See Klein in *Abhandlungen zur Erinnerung an Z. P. Chajes*, Hebrew section, p. 284 ff.). Cf. Eduard Meyer, *Die Entstehung des Judentums*, p. 106.

[9] For Isaiah 13, 14, and 21 see R. Kittel, *Geschichte*, III, 1, p. 79 ff. Bewer, *The Literature of the Old Testament*, p. 196 ff., agrees regarding chapter 21, but apparently holds chs. 13, 14 to be products of Babylonia on the basis of their similarity to Babylonian poems (see Olmstead, *History of Palestine and Syria*, p. 541 ff.), but this argument does not seem to me conclusive and is entirely insufficient to outweigh the clear evidence of Palestinian environment. The evidence of the imagery used in Jer. 50–51.58, and the whole tone of those prophecies is equally convincing for their Palestinian origin.

[10] It is frequently stated that Lam. chs. 2 and 4 proceed from the same circles and perhaps even from the same author; cf. R. Kittel, *Geschichte*, III, 1, p. 98 ff.; Peake, "Jeremiah and Lamentations," in the *Century Bible*, II, 336–7; even Bewer, who recognizes the aristocratic origin of Lamentations ch. 4 (*The Literature of the Old Testament*, p. 189), suggests that ch. 2 also proceeded from the same pen (ibid., p. 190). The evidence of difference in point of view, however, as indicated in the text, seems to me convincing proof of difference of class origin.

[11] That the Psalm is the work of restored priests has been recognized by most commentators, see R. Kittel, *Die Psalmen*, p. 414; Mowinckel, *Psalmenstudien*,

V, p. 83 ff. (Cf. also the interesting interpretation of Hans Schmidt, in *Die Psalmen*, p. 138). Mowinckel, however, attributes it to the returning exiles of 538, which seems incredible in view of the anger displayed against the conquerors and the *silence* of the original text about Babylon (concerning which see note 12). Had the Psalm been composed after the destruction of Babylonia, she certainly would have been mentioned, as the guiltiest party.

[12] Mowinckel is, doubtless, right in taking it that the words *Bat babel ha-shedudah* of v. 8 were added later. They are not, however, a gloss (Mowinckel, op. cit., p. 84); they were added by a subsequent poet who, writing after Babylonia's fall, could not see the justice of invoking a curse on Edom, the minor foe, and forgetting the principal enemy.

[13] Jer. 29.22.

[14] See above, note 10.

[15] II Kings 24.14, 16; also Jer. 29.1.

[16] Jer. 29.5. It is interesting to see that the editor especially mentions the carpenters and the smiths in the heading of the chapter describing this letter, as if to indicate the people who were addressed in the epistle. He passes over in silence the seven thousand *gibbore ha-hayil* who are mentioned in II Kings 24.14.

[17] Jer. 29.24 ff.

[18] Sifre, Deut. 321, 138a; Seder 'Olam Rabba, 25, ed. Ratner, 57a; Yer. Sanhedrin 1.2, 19a; B. Sanhedrin 38a.

[19] See below, p. 609. Regarding the economic and social hardships which the exiles faced in Babylonia, see W. W. Kaplun-Kogan, *Die Wanderbewegungen der Juden*, p. 13 ff.; E. Klamroth, *Die juedischen Exulanten in Babylonien*, p. 31 ff., who shows that the situation in Babylonia was very difficult, and far from as happy as is usually supposed. See also, S. Daiches, *The Jews in Babylonia in the Time of Ezra and Nehemiah*; Hilprecht-Clay, *The Babylonian Expedition of the University of Pennsylvania*, Series A, vols. IX and X, E. Ebeling, *Aus dem Leben der juedischen Exulanten in Babylonien*. That the Pharisaic outlook on life, with its combination of universalism and particularism, described in the text, had its true origin in Babylonia, is demonstrated by L. Baeck, *Die Pharisäer*, p. 40; Schuerer, *Geschichte*, II, p. 465; V. Aptowitzer, *Parteipolitik*, p. 188.

[20] Kittel, *Geschichte*, III, 2, p. 363 f.

[21] For a discussion of the interaction of universalist and particularist elements in Judaism, see G. F. Moore, *Judaism*, I, p. 219 ff.; M. Guttmann, *Das Judentum und seine Umwelt*; Tschernowitz, *Toledoth ha-Halakah* I, 1, p. 256 ff.; Herford, *The Pharisees*; Bousset-Gressmann, *Die Religion des Judentums*, p. 3 ff.; Schechter, *Some Aspects of Rabbinic Theology*.

[22] Gen. 1.27; 5.2; the repetition of the thought indicates the emphasis placed upon it; cf. Gen. 2.22.

[23] Gen. 10.1 ff.; the names and territories of the nations can only be mentioned for one purpose, to show that they possess their lands from God, and that they must not be deprived of them.

[24] Lev. 25.1 ff., which prohibits the alienation of land from its original owner; Num. 26.52 ff., which prescribes the equal division of the land among the people;

the extension of the term *'am ha-arez* (in its original meaning of "gentry") to the whole population (Lev. 4.27; 20.2).

[25] Ex. 12.49; Lev. 16.29; 17.15; 18.26; 19.34; 24.22; Num. 15.15, 29; cf. also Josh. 8.33.

[26] Gen. 2.1; Ex. 35.2; Lev. 19.3; 23.3; Num. 28.9.

[27] Gen. 17.10.

[28] Lev. 11.1 ff.

[29] Lev. chs. 12–15.

[30] Ab. 1.1. For the convenience of the reader, I give the text as preserved in the Mishna, though I am convinced that the older version is that preserved in Abot of R. Nathan II, ed. Schechter, 1b, and implied in Abot of R. Nathan I, ibid. This text reads, "Moses received the Law from Sinai, and handed it over to Joshua, and Joshua to the elders, the elders to the judges, the judges to the prophets, and the prophets to Haggai, Zechariah and Malachi. Haggai, Zechariah and Malachi handed it over to the men of the Great Assembly." My reasons for preferring the text of Abot of R. Nathan are given in an article which will appear in *JBL* of this year (1938).

[31] B. B. 75a.

[32] Above, p. 264 ff.

[33] II Kings 25.27.

[34] I Chron. 3.18. It is interesting to note that the second son born after the release, when Jehoiachin had become accustomed to his new station in the Babylonian court, bore a purely Babylonian name, Shenazzar (regarding which see Meyer, *Entstehung des Judentums*, 75 ff.; R. Kittel, *Geschichte*, III, 2, p. 346). There may be some additional significance in the fact that his later sons bore again names with YHWH, see I Chron. ibid. Did the disappointment in the results of Amil-Marduk's favor drive the liberated King back into the arms of his people?

[35] For a more complete discussion of the issues raised in the text, see Appendix A.

[36] On no other hypothesis can we account for the breadth of mind displayed by this child of a peasant country. The wealth he saw in his home is reflected in a dozen prophecies. See for both conclusions, 42.10 f.; 43.3, 14; 54.11; 60.17.

[37] In most of these citations, I take Torrey's excellent rendering as a basis for the English text. I also accept his emendation of *zaddik* for *zedek*; but here, as so frequently, the word doubtless has the meaning "victorious."

[38] On this occasion, as on others, the prophet, feeling that he overemphasized his point in one address, tried to counterbalance it by stressing the very opposite truth in another. Chapter 41 describes Israel as engaged in battle with its enemies; chapter 42 shows that the battle is purely spiritual. Similarly chapter 50 scolds those who failed to return; chapter 51 welcomes those who did return. Chapter 52.13 ff. describes the struggle of Israel; chapter 54 hails its future glory. Chapter 59 is full of despairing condemnation; chapter 60 breaks forth into a song of rejoicing. This has partly been noticed by Torrey, *The Second Isaiah*, p. 443; and the recurrence of the phenomenon throughout the work is one of the evidences for its unity.

[39] The reference to Persian dualism does not indicate a late date for Deutero-Isaiah. (See R. Kittel, *Geschichte*, III, 1, p. 211).

[40] As H. H. Schaeder, *Iranische Beitraege*, I, pp. 220 f., has demonstrated, the original edict of Cyrus, promulgated in the Imperial Aramaic dialect, is still preserved in Ezra 6.3 f. For the limitations of the decree, see Albrecht Alt, in *Festschrift Otto Procksch*, p. 21 ff.

[41] For the identification of Sheshbazzar with the son of Jeconiah, see R. Kittel, *Geschichte*, III, 2, p. 346. For his position in the imperial government, see Albrecht Alt, loc. cit.

[42] Practically all the recent commentators have rejected 50.11 as a gloss (So L. Koehler, *Deuterojesaja*, p. 43; W. Caspari, *Lieder und Gottesspruehe der Rueckwanderer*, p. 105; and P. Volz, *Jesaia* II, p. 151). Only S. Mowinckel, in *ZAW*, XLIX (1931), 247, note 1, expresses some doubt regarding the rejection of the passage. The difficulty seems to be, however, that all the commentators take the verse to be a malediction, quite out of spirit with Deutero-Isaiah's prophecies generally — at least at this time of his life — and furthermore, that, as usually interpreted it has no connection with either what precedes or what follows. The commentators have, however, failed to grapple with the problem of interpreting the verse, even as a gloss. What does it mean? The words *lema'azebah tishkabun*, are usually interpreted, "In sorrow shall ye lie down." But the *lamed* in *lema'azebah* should certainly be a *bet* if that were the meaning. Furthermore, what sense can be made out of a verse, which reads:

"From My hand has this come to you,
In sorrow shall ye lie down?"

Why should any glossator have added such an absurd and meaningless statement?

The answer can be given through a slight emendation of the text, such as has been indicated in the translation. The words *lema'azebah tishkabun*, with the slight substitution of a *nun* for the *zadi* in *lema'azebah*, and the correction of *tishkabun* into the unusual Aramaic, and therefore easily corrupted word, *tisbakun*, give us a good text, which supplements the preceding phrases and leads on to the following.

"Out of My hand has this (the mission to the world) come to you;
For My sake shall ye adhere to it."

The root *sbk* occurs frequently in this sense in Aramaic and Syriac; its denominative forms *sobek* and *sebakah* occur in Scripture (II Sam. 18.9; II Kings 1.2; Job 18.8); its cognate root *shabaka* has the same meaning in Arabic. It is a plausible conjecture, therefore, that the word in our text originally read: *tisbakun*, but an early copyist (the corruption is found in the LXX) not recognizing the word, confused the letters *bet* and *kaf*, which are almost identical, took the *sin* for a *shin*, and read the familiar תשכבון for תשׂבכון. The corruption of the *lema'ani bah*, into *lema'azebah* followed almost as a matter of course.

[43] The expression "Holy One of Israel," which occurs ten times before this

(41.14, 16, 20; 43.3, 14; 45.11; 47.4; 48.17; 49.7; 54.5) occurs only thrice later, 55.5; 60.9, 14. The expression "God of Israel," which occurs in 41.17; 45.3; 45.15; 48.2; is repeated again only in 52.12. But the most amazing contrast occurs in connection with the use of Israel and Jacob in other connections, as can be seen from the following list:

A) References to Israel in chapters 40–51, inclusive:

1.	Why sayest thou, O Jacob, and speakest, O Israel	40.27
2.	But thou, Israel, art My servant, Jacob whom I have chosen	41.8
3.	Fear not, thou worm, Jacob, and ye men of Israel	41.14
4.	That created thee, O Jacob, and that formed thee, O Israel	43.1
5.	But thou hast not called on Me, O Jacob — O Israel	43.22
6.	And have given Jacob to the curse, and Israel to reproaches	43.28
7.	Yet now hear, O Jacob, My servant, and Israel whom I have chosen	44.1
8.	Fear not, O Jacob, My servant, and thou Jeshurun	44.2
9.	The name of Jacob . . . the name of Israel	44.5
10.	Remember these, O Jacob and Israel, for thou art My servant	44.21
11.	For the Lord hath redeemed Jacob . . . Israel	44.23
12.	For Jacob, My servant's sake, and Israel, Mine elect	45.4
13.	Israel shall be saved	45.17
14.	I said not unto the children of Jacob	45.19
15.	Shall all the seed of Israel be justified	45.25
16.	Hearken unto me, O House of Jacob and all the remnant of the House of Israel	46.3
17.	For Israel My glory	46.13
18.	Hear this, O House of Jacob . . . Israel	48.1, 12
19.	Hath redeemed His servant Jacob	48.20
20.	Thou art My servant, O, Israel	49.3
21.	To bring Jacob back to Him	49.5
22.	Thou shouldest be My servant, to raise up the tribes of Jacob, and restore the preserved of Israel	49.6

These twenty-three references occur in twelve chapters; in the remaining fifteen we have only seven references, in several of which neither Israel nor Jacob is recognized as a true unit.

They are as follows:

1.	Who gathereth the outcasts of Israel	56.8
2.	And show . . . the house of Jacob their sins	58.1
3.	And the Redeemer shall come unto . . . them that turn from transgression in Jacob	59.20
4.	The Mighty One of Jacob	60.16
5.	Great goodness toward the House of Israel	63.7
6.	And I will bring a seed out of Jacob	65.9
7.	As the children of Israel bring an offering	66.20

[44] Following Torrey's excellent reconstruction of the text.

[45] C. and D. Singer, "The Jewish Factor in Mediaeval Thought," in Bevan and Singer, *The Legacy of Israel*, p. 174 ff.

[46] For a discussion of the theory of Trito-Isaiah, and the problems connected with it, see Appendix A.

[47] I cannot accept Torrey's interpretation of these verses.

[48] Op. cit., p. 382.

[49] Torrey, op. cit., p. 111 ff.

[50] See above, p. 461.

[51] The reference to the eunuch and the stranger, and the unexpectedly broad universal outlook which appears in this passage, seem to imply some special situation. The discussion of whether the eunuch could be admitted "into the community of the Lord" revolved, apparently, about the interpretation to be put on Deut. 23.2. See Torrey, op. cit., p. 427.

[52] Amos 7.14.

[53] Cf. above, pp. 296 and 315.

[54] Above, p. 324.

NOTES TO CHAPTER XIX

[1] For the position he occupied as subservient to the Aramean officials of Samaria, see Albrecht Alt, in *Festschrift Otto Procksch*, p. 24.

[2] See above, p. 176.

[3] See above, p. 205.

[4] See above, p. 494.

[5] For a discussion of Haggai's attitude toward revolution, and whether his words were intended to have a practical application or were merely eschatological predictions, see J. Wellhausen, *Die Kleinen Propheten*, p. 170; Eduard Meyer, *Entstehung des Judentums*, p. 79 ff.; R. Kittel, *Geschichte*, III, 2, p. 455 ff.; and Olmstead, *History of Palestine and Syria*, p. 560 ff. For a recognition of the ethical limitations of Haggai's prophecy, and the marked differences between it and that of the earlier prophets, see so conservative a commentator as G. A. Smith, *The Book of the Twelve Prophets*, II, 252.

[6] That Haggai and Zechariah acted in opposition to one another is clearly indicated by the data furnished in the text; see Fleming James, in *JBL*, LIII (1934), 230 f.; and Otto Procksch, *Der Staatsgedanke in der Prophetie*, p. 56. The failure of historians to realize this, in spite of the almost universal recognition of the difference in attitude between Haggai and Zechariah, is due to the influence of Ezra 5.1, where the two prophets are coupled together. But as H. H. Schaeder says (*Iranische Beitraege*, I, p. 222), that verse is not part of the original document which the Chronicler used as his source for these chapters, but a paraphrase of a paragraph with which the Chronicler took some liberties. The government official who was the author of the original document would hardly be likely to refer, in any event, to the Jewish prophets and their influence on the people.

[7] For Zechariah's Babylonian origin, see G. A. Smith, *The Book of the Twelve Prophets*, II, p. 265. His family, that of Iddo, is expressly described, Neh. 12.4, as having returned from Babylonia under Cyrus. For his pacifist leanings, see G. A. Smith, op. cit., p. 281; R. Kittel, *Geschichte*, III, 2, p. 459 (who errs, however, in my opinion, in presuming that Haggai would have agreed with Zechariah). For Zechariah's relations to Ezekiel, see R. Kittel, op. cit., p. 457; G. A. Smith, op. cit., p. 312 ff.

[8] For the contrast between Zechariah's emphasis on the ethical life and Haggai's pure ritualism, see G. A. Smith, op. cit., p. 324; Olmstead, *History of Palestine and Syria*, p. 573.

[9] The lay leader of the Judaite community is mentioned in the famous appeal of the community of Yeb to the Persian Governor, Bagoas, printed in Cowley, *Aramaic Papyri of the Fifth Century B.C.*, p. 112. The leader at the time was "Ostanes, the brother of Anani"; see, ibid. p. 112, line 18 of the text. See also Sachau, *Drei aramaeische Papyrusurkunden*, p. 4 ff.; and Eduard Meyer, *Der Papyrusfund von Elephantine*, p. 70 ff. G. Hoelscher, *Geschichte der israelitischen Religion*, p. 143, note 2. Such a lay leader is also mentioned in II Chron. 19.11; and indeed a similar dual government is implied in Num. 27.19. There may be some relation between this early dual government and that instituted by the Pharisees, first in their own Order, and finally for the whole Synagogue, see *Akiba*, p. 298 ff.

[10] Cited by Eduard Meyer, *Ursprung u. Anfaenge d. Christentums*, II, 29.

[11] Neh. 7.6 ff.; Ezra 2.1 ff. Almost all of the clan names are missing from the corresponding records in Chronicles, showing that the clans had been dissolved by the time of the editor. The authenticity of the document, and Ezra's association with it, have finally been demonstrated by H. H. Schaeder, in *Esra der Schreiber*, p. 15 ff.

[12] Cf. I Chron. 9.7 and see R. Kittel, *Geschichte*, III, 2, p. 363.

[13] Compare the testimony of R. Eleazar ben Zadok, a patrician priest of the first century who belonged to this family. R. Eleazar recalls that he belongs to the clan of "Senaa, the son of Benjamin" and at the same time, knows himself as priest. He probably supposed that the one line of descent was maternal and the other paternal. This was a favorite manner of solving genealogical difficulties in antiquity. (See 'Er. 41a; the correct reading is given in Tosafot, ibid. Cf. also Aptowitzer, *Parteipolitik*, p. 95).

[14] Regarding him, see below, p. 587.

[15] See R. Kittel, *Geschichte*, III, 2, p. 337; cf. S. Klein, *MGWJ*, 1936, p. 199.

[16] Ezra 2.61; cf. I Chron. 24.10.

[17] Compare Mishna Ket. 2.7; and Babli, ibid., 24b.

[18] My father describes such a case, which came before him when he was rabbi in Baltimore, Md., about the year 1890. In accordance with the usual custom, he addressed a question regarding the matter to the famous Rabbi Isaac Elhanan Spektor, then Rabbi of Kovno. The case and the reply are recorded in my father's work, *'En Simeon*, beginning.

[19] Ezra 2.36 (=Neh. 7.39) does not know the family of Yoyarib; the principal priestly clan is Yedaiah. I Chron. 9.10 mentions Yedaiah first, Yoyarib second. This should probably be the reading also of Neh. 11.10, but our texts have, "Yedaiah, son of Yoyarib." Only in I Chron. 24.7 does Yoyarib at last attain primacy. See also V. Aptowitzer, *Parteipolitik*, p. XV ff.; Geiger, *Urschrift*, p. 204.

[20] For the earlier history of the Levites and their relations with the Aaronids, see primarily Eduard Meyer, *Die Israeliten und ihre Nachbarstaemme*; ibid., *Geschichte des Altertums*, II, 2, p. 306 ff.; R. Kittel, *Geschichte*, I, p. 522; II, pp. 91 ff., 521 ff.; A. Menes, *Die vorexilischen Gesetze Israels*, p. 1 ff.; for the later history, see R. Kittel, op. cit., III, 2, p. 392 ff.; Jeremias, *Jerusalem*, II B, p. 70 ff.; V. Aptowitzer, *Parteipolitik*, p. 145 ff.; and *Akiba*, 29 ff., 83, 278, 282.

[21] Mishna ʿAr. 2.4.

[22] Concerning him, see p. 38.

[23] R. Kittel, *Geschichte*, III, 1, p. 74 ff.; III, 2, p. 372.

[24] Shab. 31a; see also, M. Guttmann, *Das Judentum und seine Umwelt*, p. 75 ff.

[25] See Gen. R., 70.5, p. 802; Guttmann, loc. cit., note.

[26] Mishna Yeb. 6.5; Sifra, Emor, perek 1.7, 94b.

[27] I have followed, in general, Bewer's "Commentary on Joel," in *International Critical Commentary*, p. 50 ff. for the analysis of the work. That the work is composite was apparently the opinion also of G. A. Smith, *The Twelve Prophets*, II, p. 388, although he found himself unable to accept any of the theories current at the time of his writing. The fact that Joel reflects the ideas and mentality of the agricultural, rather than the urban, community has already been noticed by others. See, e. g., G. A. Smith, in his article, "Trade and Commerce," in *Encyclopedia Biblica*, IV, 5180–5181.

[28] The promise of rain is not simply the end of the drought; for the prophet specifically says, "Children of Zion, be ye glad, etc."

[29] G. A. Smith, who does not recognize the hand of the glossator in this passage, is forced, by the contradiction between this verse and the fourth chapter, to suppose that "all flesh" means only Israel; although menservants and handmaids are mentioned in the context. See G. A. Smith, op. cit., II, p. 428; see, however, Bewer, op. cit., p. 123.

[30] Cf., e. g., E. Sellin, *Das Zwölfprophetenbuch*, p. 274 ff.

[31] Cf. Jer. 49.7 ff.

[32] R. Kittel, *Geschichte*, III, 1, p. 72.

[33] See above, p. 360.

[34] Cf. Zech. 9.1; Sifre, Deut. 1.1, 65a.

[35] G. A. Smith, *The Book of the Twelve Prophets*, II, p. 449 ff. Kittel, *Geschichte*, III, 2, p. 691 ff.

[36] The usual rendering "against thy sons, O Javan" is to be corrected as indicated in the text. But even if we accept the traditional reading, the prophet is simply foreseeing Judah turning against Alexander and wresting his conquests from him.

[37] *Antiquities*, XI, 8.3 ff.

[38] See G. A. Smith, *The Book of the Twelve Prophets*, II, p. 465, note 8.

[39] Acts 15.29. See Eduard Meyer, *Ursprung und Anfaenge des Christentums*, III, p. 417; and cf. Lake, in *Jewish Studies in Memory of Israel Abrahams*, p. 256 ff.

[40] Ta'an. 16a.

[41] Deut. 23.4.

[42] Yeb. 76b. Or he may have limited the prohibition to unconverted Moabites.

[43] Prov. ch. 30.

[44] Following the interpretation of G. A. Smith.

[45] Hag. 2.7.

[46] The word *'al* in the text must, of course, be emended to ***kol.***

NOTES TO CHAPTER XX

[1] Zech. 9.13; 10.6; 11.14; Obadiah, v. 18; cf. above, p. 530. See also R. Kittel, *Geschichte*, II, p. 470, where the problem of the remaining Israelites is discussed, and Assyrian monuments corroborating the story of the transplantations are cited. For the extent to which the land was denuded of its higher classes, see Olmstead, *History of Palestine and Syria*, p. 460, who compares the 27,290 captives reported as taken into exile from the land of Israel with the no more than 60,000 members of the gentry, who composed the higher classes in the far greater Israel of Menahem (II Kings 15.19 f.). So also, M. Gaster, *The Samaritans*, p. 16 ff. This is further implied in II Chron. 30.1 f.; and 34.6 f.; which doubtless reflects the true state of affairs in this matter. Cf. further, J. A. Montgomery, *The Samaritans*, pp. 50–55; S. Baron, *A Social and Religious History of the Jews*, I, pp. 214–18; III, p. 219; I. Ben Zevi, *Sefer Ha-Shomronim*, p. 16, and A. C. Welch, "The Share of Northern Israel in the Restoration of Temple Worship." in *ZAW*, XLVIII (1930), pp. 175–187.

[2] Mishna Yad., 4.4.

[3] Ezra 4.10; cf. also 4.2, where the claim is made that certain groups were transplanted by Essar Haddon. For the authenticity of the documents in Ezra 4.7 ff., see above, p. 479. The social cleavage between the deportees who were brought into Samaria and the Israelite peasantry who remained on the land has already been recognized by Albrecht Alt, *Festschrift Otto Procksch*, p. 10 ff.

[4] II Kings 17.25 ff.

[5] Kid. 75b.

[6] Jer. 31.19.

[7] Deut. 12.29; 27.12.

[8] This argument is not affected by Rothstein's ingenious interpretation showing that Haggai's "question" (2.11 ff.) bore on the Samaritan problem (J. W. Rothstein, *Juden u. Samaritaner*, 5 ff.). The force of the word *sham*: "there"— meaning Shechem — must not be overlooked. The authenticity of Ezra 4.1 f. is defended vigorously, and in my opinion successfully, by R. Kittel, *Geschichte*, III, 2, p. 433 ff. It is rejected, however, by H. H. Schaeder (*Esra der Schreiber*, p. 33).

[9] R. Kittel, op. cit., pp. 556, 599 ff.; cf. above, p. 530 ff..

[10] So also Albrecht Alt in *Festschrift Otto Procksch*, p. 27.

[11] For his position in the Persian government, and his authority, see Schaeder, *Esra der Schreiber*, especially pp. 39 ff., 49; and also Kittel, *Geschichte*, III, 2, 577, 581 ff.

[12] According to Kittel, we must assume that he was recalled (op. cit., p. 606 f.); Schaeder, however, seems less certain about the matter (op. cit., p. 38).

[13] In all this, I follow H. H. Schaeder, *Esra der Schreiber*, p. 5 ff., who accepts both the memoirs of Ezra and those of Nehemiah as authentic documents.

[14] Neh. 6.14. How completely secular and political the struggle must have seemed to the contemporary prophets becomes especially evident after a study of A. Alt's brilliant analysis of the issues in *Festschrift Otto Procksch*, pp. 27–28.

[15] Zech. 2.9.

[16] Testaments of the Twelve Patriarchs, Levi, 14.6.

[17] Cf. Ex. 20.24.

[18] See above, p. 432; and *Proceedings of the American Academy for Jewish Research*, 1931–2, p. 49 ff. The suggestion of the pre-exilic origin of the synagogue was warmly defended by Leopold Loew, see his *Gesammelte Schriften*, IV, p. 5 ff. For other theories of the origin of the Synagogue, cf. S. Krauss, *Synagogale Altertuemer*, pp. 52–66; J. Wellhausen, *Israelit. u. juedische Geschichte*, 184 ff.; R. Kittel, *Geschichte*, III pp. 112, 201; and A. Menes, in *ZAW*, L (1932), p. 268 ff.

[19] Ecclus. 51.23.

[20] For the probable importance of the Levites in this connection, see v. Rad, in *Festschrift Otto Procksch*, p. 113 ff.

[21] Meg. 29a; Targum Jonathan on Ezek. 11.16.

[22] Regarding the Sect of Damascus, see Schechter, *Documents of Jewish Sectaries*, I, p. 6, line 11; and the English translation in Charles, *Apocrypha and Pseudepigrapha*, II, p. 813; for the Essenes, see Schuerer, *Geschichte*, II, p. 663.

NOTES TO CHAPTER XXI

[1] Meyer, *Ursprung u. Anfaenge des Christentums*, II, 128 ff.; Tscherikower, *Ha-Yehudim ve-ha-Yevanim*, 194 ff.; S. Zeitlin, *The History of the Second Jewish Commonwealth*, p. 19 ff.

[2] Mishna Ab. 1.2; see above, p. 62.

[3] Cf. Abram Menes, *Die vorexilischen Gesetze Israels*, p. 90; and S. Zeitlin, *Proceedings of the American Academy for Jewish Research*, 1931–2, p. 156.

[4] Morgenstern maintains that the '*edah* as used in the Pentateuch, e. g., Num. 27.2; 35.25 et al., is a formal court consisting of representatives of the Community, see *HUC Annual*, VIII-IX (1931—2), pp. 86 and 118, notes.

[5] Zech. 13.4.

[6] See articles on the Canon and the Bible in the various encyclopedias; also G. Wildeboer, *The Origin of the Canon of the Old Testament* (tr. from the German); H. F. Ryle, *The Canon of the Old Testament.*

[7] B. B. 15a.

[8] For a discussion of this passage, see C. C. Torrey, *Pseudo-Ezekiel*, p. 19 f.; Shalom Spiegel in *HTR*, XXIV (1931), p. 278.

[9] See above, p. 63.

[10] Cf. *JQR*, N. S., XVI (1925–26), p. 41 ff.

[11] *JQR*, N. S., XXI (1928–29), p. 229, note 1.

[12] This is the oldest form of the statement, still preserved in Abot of R. Nathan, II, chs. 1–4, see ed. Schechter, 1b, 2a, and 7b. In Abot of R. Nathan, I, ch. 1, 1b, the form is given precisely as in Mishna Ab. 1.1: "Be deliberate in judgment, make many disciples, and set up a hedge about the Law." The reasons which led to this transformation of the original statement into the form it has in the Mishna and Abot of R. Nathan I, are discussed in a paper which is scheduled to appear in *JBL* for this year (1938).

[13] See, for example, Abot of R. Nathan, I, ch. 1, 2b.

[14] Josephus, *Antiquities*, XII, 3.3. The authenticity of this document is now generally recognized. See Eduard Meyer, *Ursprung u. Anfaenge des Christentums*, II, p. 127, note 2.

[15] It is important, of course, to distinguish this Simeon the Tobiad, from Simeon the Righteous, who was High Priest. For the theory that Benjamin in this passage means the priestly clan *Miyamin*, see later in this chapter.

[16] Josephus, *Antiquities*, XII, 5.1. That Menelaus was a Benjaminite and not a priest has been most vigorously asserted by Schuerer, *Geschichte*, I, p. 195; Meyer, *Ursprung*, II, p. 133; Jeremias, *Jerusalem*, IIB, p. 44; for further discussion see, however, A. Tscherikower, *Ha-Yehudim ve-ha-Yevanim*, p. 197, note 3; J. Klausner, *Historia Yisreelit*, I, p. 284; A. Buechler, *Die Tobiaden*, p. 10; S. Zeitlin, *The History of the Second Jewish Commonwealth*, p. 19, note 62; and pp. 62–66.

[17] Ecclus. chap. 44. For a further discussion of Ben Sira and his philosophy, see above, p. 219. For a recent discussion of his omission of Ezra's name, which remains a perplexing problem, see H. H. Schaeder, *Esra der Schreiber*, p. 37.

[18] Mishna Ab. 1.3. See above, p. 153.

[19] Gen. R. 65.22, p. 743.

[20] So also V. Aptowitzer, *Parteipolitik*, p. 196; Geiger, *Urschrift*, p. 215.

[21] *Akiba*, p. 298 ff.

[22] These are the famous Noachian laws, discussed fully in the Talmud, San. 56a; Tosefta 'Ab. Zarah 8.4, p. 473; Gen. R., ch. 16, p. 149; Pesikta of R. Kahana, 100b; and implied in the Book of Jubilees, 7.20 ff. Concerning that passage see *HTR*, XVI, p. 60; *JBL*, XLIX, p. 22; Ginzberg, *Legends of the Jews*, V, 193, note 67; M. Guttmann, *Das Judentum u. seine Umwelt*, p. 103; Albeck, *Das Buch der Jubiläen und die Halacha*, p. 34. Albeck alone denies any relation between the Noachian laws of the Talmud and those of the Book of Jubilees.

[23] For a discussion of the identity of the Hasmonean who first called himself King, see Graetz, *Geschichte*, III, 653; Schuerer, I, 274 ff.; and Aptowitzer, *Parteipolitik*, 13 ff.

[24] San. 11a.

[25] Mishna R. H. 1.7.

[26] Cf. *HTR*, XXII (1929), p. 258 ff.

[27] Josephus, *Antiquities*, XVII, 2.4.

[28] Yavitz, *Toledot Yisrael*, IV, 157 ff.; Halevy, *Dorot ha-Rishonim*, Ic, 360 ff.; Klausner, *Historia Yisreelit*, 99 ff.; Aptowitzer, *Parteipolitik*, p. IX.

[29] See above, p. 110.

[30] Sifra Behukkotai, beginning; Ta'an. 23a; Lev. R. 35.10.

[31] Josephus, *Antiquities*, XIV, 2.1.

[32] Josephus, *Antiquities*, XIV, 13.1.

[33] See *Akiba*, p. 46 ff.

[34] Mishna Yebamot 1.4; 'Erubin 13b.

[35] Berakot 19a.

[36] Ibid. 63a.

[37] Acts 15.22 f.

NOTES TO APPENDIX C

[1] See also Olitzki, *Josephus und die Halacha*, p. 42; H. Weyl, *Die juedischen Strafgesetze bei Josephus Flavius*, p. 101.

[2] It is interesting to note that while Josephus's *halakah* is, generally, that of the Pharisees, in this instance he agrees with the view of R. Eleazar b. Zadok, showing that the priestly-patrician Pharisees did not differ from the Sadducees regarding this question. See *Antiquities*, IV, 8.23, and cf. Weyl, op. cit., p. 104 ff.

[3] See Weyl, op. cit., pp. 98 ff.; and 156; and cf. also, for the view of Philo, Goodenough, *The Jurisprudence of the Jewish Courts in Egypt*, p. 139, and I. Heinemann, *Philons griechische und juedische Bildung*, p. 358 ff.; further discussion of the general subject by Amram, *JQR*, N. S. II (1911–12), p. 210; and in my article, "An Eye for an Eye," in *Menorah Journal*, 1936, p. 212.

[4] In this instance again Josephus agrees with the view attributed to the Sadducees (*Antiquities*, IV, 8.23); see Weyl, loc. cit.

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INDICES

INDEX TO PASSAGES CITED

This index includes references to the Hebrew Scriptures, the New Testament, Apocrypha, Pseudipigrapha, Babylonian and Palestinian Talmuds, Mishna, Tosefta, and other rabbinic works, as well as Philo and Josephus.

The numbers on the right refer to pages. The numbers in parentheses refer to footnotes. An asterisk following a number in parentheses indicates that the reference occurs in the note and not in the text proper.

HEBREW SCRIPTURES

Genesis

1.27 ... 461 (22)
2.1 ... 462 (26)
2.22 ... 461 (22)
3.8 ... 161
3.22 ... 161, 183
4.16 ... xxiii
4.17 ... 187
5.2 ... 461 (22)
6.2 ff. ... 160 (1)*
6.6 ... 161
7.16 ... 161
8.18 ... 58 (42)*
9.20 ... 109
10.1 ff. ... 461 (23)
10.2 ... 338
10.6 ... 424
11.4 ... xxiii, 187
11.5 ... 161
12.7, 8 ... 62 (4)*
13.11 ... 379
13.18 ... 62 (4)*
15.6 ... 201
15.16 ... 355
15.18 ... 355
16.2 ... 163
16.13 ... 169
17.5 ... 169
17.10 ... 462 (27)
17.15 ... 169
18.2 ... 164
18.22 ff. ... 167
19.1 ff. ... 379
19.15 ff. ... 168
21.21 ... 423
21.22 f. ... 354
21.23 ... 362 (19)*
22.15 ff. ... 168
24.10 ... 407 (6)*
25.22 ... 566
25.27 ... 187
26.29 ... 362 (19)*
28.18 ... 62 (4)*, 191
29.4 ff. ... 407 (6)*
29.30 ... 169
30.3 ... 163
31.24, 29 ... 407 (6)*
32.25 ... 164
32.28 ... 169
33.4 ff. ... 379
33.20 ... 62 (4)*
35.4 ... 188
35.7 ... 62 (4)*
35.14 ... 62 (4)*
38.2 ff. ... 377 (48)*
38.8 ... 170
38.9 ... 163
46.10 ... 377 (48)*
49.8 ff. ... 52 (24)*
49.14 ... 44
49.20 ... 52 (24)
50.2–3 ... 146 (5)
50.26 ... 146 (5)

Exodus

3.2 ff. ... 168
7.3 ... 197
7.5 ff. ... 190
12.49 ... 462 (25)
20.20 ... 184
20.21 f. ... 190
20.24 ... 562 (17)
21.28 ... 197
21.29 ff. ... 162
21.35 ... 162
23.16 ... 104
23.19 ... 58 (39)
23.21 ... 169
26.1 ff. ... 189
28.3 ... 221 (23)
30.1 ff. ... 281
30.15 ... 282
30.18 ff. ... 273
31.3 ... 221 (23)
32.3 ... 188
33.6 ... 188 (7)*
34.22 ... 104

34.26 .... 58 (39)
35.2 .... 462 (26)
35.3 131

Leviticus

4.27 .... 461 (24)
10.1 .... 119 (30)*
11.1 ff. 462 (28)
11.32 ff. 129 (48)
11.38 53
chs. 12–15 .... 462 (29)
15.1 ff. 27 (77)
15.7 122
15.16 122
16.12 .... 119, 119 (30)*
16.29 .... 462 (25)
17.15 .... 462 (25)
18.3 424
18.26 .... 462 (25)
19.3 .... 462 (26)
19.18 304
19.27 .... 187 (6)*
19.34 462
20.2 .... 461 (24)
21.5 .... 187 (6)*
22.28 .... 58 (42)*
23.3 .... 462 (26)
23.14 .... 67 (13)
23.15 116
23.15 ff. 115 (22)
23.22 69
23.32 57
23.42 .... 15 (35), 105
24.22 .... 462 (25)
25.1 ff. 461 (24)
25.44 268

Numbers

6.2 ff. 188
6.22 .... 278 (20)*
15.15 .... 462 (25)
15.29 .... 462 (25)
15.37–41 64
16.17 .... 119 (30)*
16.18 .... 119 (30)*
16.22 150
18.21 .... 28 (79), 270
18.21 ff. 28
18.24 69
18.26 270
ch. 19 .... 27 (75)
19.11 ff. 122 (35)
19.14 ff. 129 (48)
21.22 355
23.7 .... 407 (6)*
26.12 150
26.52 ff. 461 (24)
27.2 .... 577 (4)*
27.8 139
27.19 .... 508 (9)*
28.9 .... 462 (26)
31.20–23 .... 129 (48)
31.22 129
35.25 .... 577 (4)*

Deuteronomy

1.17 .... 261 (2)
4.6 95
5.9 .... 150 (7)
6.4–9 63
6.8 .... 29 (82)
6.9 29
7.10 150
8.17 201
8.18 202
11.13–21 64
11.18 .... 29 (82)
11.20 29
11.26 202
12.29 .... 551 (7)
14.21 .... 58 (39)
14.22 ff. 28
14.22–23 270
14.25 272
14.29 270
15.22 ff. 28 (79)
16.13 104
17.7 .... 143 (72)
17.8 ff. 261 (2)
17.16 189
18.1 .... 20 (56), 420 (14), 509
18.6 420
19.17 .... 261 (2)
19.19 .... 142, 144
21.2 .... 261 (2)
21.4 644
21.16 268
21.18 268
22.6 .... 58 (42)*
22.13 641
22.26 199
23.2 .... 491 (51)*
23.4 .... 541 (41)
23.8 424
23.15 188
24.16 150
25.2 .... 261 (2)
25.6 169
25.7 .... 261 (2)
25.9 642
26.5 .... 407 (6)*, 423
27.12 .... 551 (7)
27.21 35
28.64 .... 346 (2)
30.15 202
30.19 202
33.4 36
33.11 .... 21 (57)
33.24 .... 52 (24)

Joshua

1.8 95
5.9 .... 367 (32)*
5.11 116
6.19 .... 188 (7)*
7.24 ff. 197 (3)
8.33 .... 462 (25)
15.1 ff. 39 (107)
18.11 ff. 39 (107)
18.22 .... 39 (107)
18.25 .... 367 (37)*
21.17 .... 367 (37)*

Judges

2.1 . . . 169
3.19 . . . 190
5.2 . . . 187 (6), 188
5.24 . . . 352
5.30 . . . 347
6.19 . . . 108
8.31 . . . 41 (116)*
11.1 ff. . . . 7 (2)
13.7 . . . 189
13.18 . . . 169
14.3 . . . 362
14.18 . . . 362
16.1 ff. . . . 362
21.19 . . . 363
21.19 ff. . . . 55 (27)

I Samuel

1.11 . . . 189
1.28 . . . 189
2.13 f., 17 . . . 363 (21)
2.22 . . . 363
4.1, 9 . . . 362 (19)*
5.4 . . . 362
7.6 . . . 108
7.10 ff. . . . 365 (28)*
7.16 . . . 365 (26)
10.8 . . . 367 (33)*
10.21–27 . . . 366 (29)*
11.14 . . . 191
11.15 . . . 190 (12)*
13.3 . . . 367 (34)
13.4 ff. . . . 191
13.7 . . . 190
13.8 ff. . . . 367 (32)*
14.1 . . . 367 (34)
14.49 . . . 367 (35)*
ch. 15 . . . 368 (38)*
15.1 ff. . . . 367 (32)*
15.22 . . . 62 (3)
15.22 f. . . . 367 (32)*
21.6 . . . 188
22.7 . . . 347
26.19 . . . 346 (2), 444
28.9 . . . 368

II Samuel

2.8 . . . 367 (35)
2.12 ff. . . . 367 (37)*
3.3 . . . 377 (48)*
3.37 . . . 374
4.4 . . . 367
5.13 ff. . . . 377 (49)*
5.17 . . . 377 (47)
6.10 . . . 377 (48)*
6.21 . . . 376
ch. 7 . . . 376 (44)*
7.2 . . . 189
8.1 . . . 377 (47)
8.4 . . . 189
8.6 . . . 379
8.11 . . . 188 (7)*
9.6 . . . 367
10.1 ff. . . . 379
11.11 . . . 187 (4)*, 188
11.15 . . . 403
14.4 . . . 360 (15)
17.27 . . . 377 (46)*
18.9 . . . 482 (42)*
20.1 . . . 381
21.1 ff. . . . 377
21.8 . . . 367
23.16 . . . 108
24.1 . . . 196, 230
24.24 . . . 11 (12), 377

I Kings

3.4 . . . 367 (37)*
4.9 ff. . . . 383
6.7 . . . 190
7.51 . . . 188 (7)*
8.2 ff. . . . 55 (27)*
8.23–53 . . . 565
8.30 . . . 433
8.41–43 . . . 433
11.5 . . . 383
11.26 . . . 383
12.16 . . . 385
12.25 . . . 387 (54)
12.29 . . . 191, 387 (53)
14.2 ff. . . . 387
15.15, 18 . . . 188 (7)*
15.27 . . . 388
16.9 ff. . . . 389
16.24 . . . 390
17.1 . . . 7 (2), 399
18.18 . . . 400
18.34 . . . 108
18.37 . . . 197
19.15 f. . . . 401
19.16 . . . 402
19.20 . . . 402
20.35 . . . 405 (5)*
21.3 . . . 403
21.4 . . . 397
21.19 . . . 403
21.27 . . . 188 (9)*, 397, 404
22.11 . . . 406
22.11 ff. . . . 405 (5)*
22.21 . . . 196

II Kings

1.2 . . . 482 (42)*
3.2 . . . 407
4.23 . . . 563
ch. 5 . . . 407 (6)
5.17 . . . 444
6.26 . . . 360 (15)
8.3 ff. . . . 360 (15)
8.9 . . . 407 (7)
8.11 . . . 407
8.12 . . . 410
9.30 ff. . . . 396
10.15 . . . 408
10.18 . . . 410
11.17 . . . 412
11.18 . . . 412
11.20 . . . 24, 411
12.3 . . . 414
12.12 . . . 414
12.13 . . . 414
12.14 . . . 414
12.16 . . . 414
12.19 . . . 188 (7)*
14.6 . . . 150
14.21 . . . 415

15.5 415
15.19 f. .... 547 (1)*
15.20 .... 346 (4)
16.10 ff. 417
17.25 ff. 549 (4)
18.4 .... 418, 418 (12)*
19.18 301
20.12–20 .... 421 (15)*
20.16 ff. 421
20.34 .... 390 (1)
21.3 .... 319 (26)
22.12 442
22.15 ff. 438
22.17 301
23.9 437
24.14 .. 440 (25), 455 (15), 456 (16)*
24.16 ... 440 (25), 455 (15)
25.12 442
25.27 .... 465 (33)
25.30 .... 334 (45)*

Isaiah

1.11 .... 62 (4)
2.2–4 .... 423 (16)*
2.7 191
2.7 ff. 415
3.14 ff. 301
3.18 ff. 191
5.3 .... 24 (71)
5.8 .... 267, 302
6.6 171
6.10 .... 197, 202 (9)
7.4 416
7.12 201
7.21 191
7.25 192
8.16 95
8.23 40
10.1 ff. 302
11.1 ff. .... 302, 423, 423 (16)*
11.1–9 .... 423 (16)*
ch. 13 .... 450, 450 (9)*
ch. 14 .... 450, 450 (9)*
ch. 21 .... 450, 450 (9)*
22.9 ff. 202
chs. 24–27 .. 145, 178, 536
24.1 f. 536
24.13 ff. 537
24.21 .... 173, 536
24.23 537
25.7 537
26.15 537
26.19 .... 145, 173, 536
30.1–3 422
30.26 543
31.9 428
32.1–5 .... 423 (16)*
32.15–20 .... 423 (16)*
33.7 f. 428
ch. 34 450
chs. 34–35 627
ch. 35 450
37.7 .... 202 (9)
37.19 301
chs. 40–55 .... 627, 628
chs. 40–66 629
40.1 446
40.7 469
40.9 630
40.19–20 301
40.27 .... 483 (43)*
ch. 41 .... 473 (38)*
41.2 ff. 471
41.7 301
41.8 .... 483 (43)*
41.14 .... 483 (43)*
41.16 .... 483 (43)*
41.17 .... 483 (43)*
41.18 630
41.20 .... 483 (43)*
41.25 471
ch. 42 .... 473 (38)*
42.1 ff. 474
42.10 f. .... 468 (36)*
42.19 176
43.1 .... 483 (43)*
43.3 .... 468 (36)*, 483 (43)*
43.14 .... 468 (36)*, 483 (43)*
43.22 .... 483 (43)*
43.28 .... 483 (43)*
44.1 .... 483 (43)*
44.2 .... 483 (43)*
44.5 .... 483 (43)*
44.11 ff. 300 (7)
44.12 301
44.21 .... 483 (43)*
44.23 .... 483 (43)*
44.23 ff. 477
44.26 176
45.1 ff. 478
45.3 .... 483 (43)*
45.4 .... 483 (43)*
45.10 479
45.11 .... 483 (43)*
45.15 .... 479, 483 (43)*
45.17 .... 483 (43)*
45.19 .... 483 (43)*
45.25 .... 483 (43)*
46.3 .... 483 (43)*
46.13 .... 483 (43)*
47.4 .... 483 (43)*
47.6 630
48.1 .... 483 (43)*
48.2 .... 483 (43)*
48.12 .... 483 (43)*
48.17 .... 483 (43)*
48.20 .... 483 (43)*, 630
49.3 .... 483 (43)*
49.5 .... 483 (43)*
49.6 .... 483 (43)*
49.7 .... 479, 483 (43)*
49.9 630
ch. 50 .... 473 (38)*
50.2 481
50.4 ff. 482
50.6 630
50.10 ff. 482
50.11 .... 482 (42)*
ch. 51 .... 473 (38)*
51.2 482
51.6 484

51.8 482
51.12 482
51.18 483
52.11 629
52.11 f. 484
52.12 .... 483 (43)*
52.13 ff. .... 473 (38)*
52.13–53.6 486
53.9 ff. 145 (3)
53.10–11 486
ch. 54 .... 473 (38)*
54.5 .... 483 (43)*
54.11 .... 468 (36)*
54.11 f. 489
54.14 490
55.1 ff. 492
55.5 .... 483 (43)*
chs. 56–66 628
56.6 ff. 494
56.8 .... 483 (43)*
56.12 493
57.2 ff. 493
58.1 .... 483 (43)*
58.6 ff. 495
ch. 59 .... 473 (38)*
59.1 ff. 496
59.20 .... 483 (43)*
ch. 60 .... 473 (38)*
60.9 .... 483 (43)*
60.14 .... 483 (43)*
60.16 .... 483 (43)*
60.17 .... 468 (36)*
63.7 .... 483 (43)*
63.9 .... 176 (15)*
63.17 496
65.3 ff. 497
65.9 .... 483 (43)*
65.14 497
ch. 66 605
66.1 ff. 498
66.20 .... 483 (43)*
66.23 498
66.24 606

Jeremiah

chs. 1–3 305
1.3 .... 446 (5)*
2.11 ff. 432
5.4 ff. 19
5.26 ff. 303
7.34 24
8.10 ff. 303
9.22 ff. 304
10.3 301
11.20 .. 202 (9), 307 (11)*, 324
12.1 .... 151 (8)
12.3 .... 202 (9)
13.3 200
14.11 565
15.19 565
17.5 201
17.10 .... 200, 202 (9), 324
17.21 136
18.3 14
20.7 .... 202 (9)
20.12 .... 200, 202 (9)
20.12 ff. .... 307 (11)*
22.13 304
24.1 .... 440 (25)
24.4 .... 446 (5)*
25.2 415
25.11 632
26.24 442
28.4 .... 446 (5)*
29.1 .... 441 (26), 446 (5), 455 (15)
29.2 .... 440 (25)
29.3 .... 442 (28)*
29.4 .... 446 (5)
29.5 .... 456 (16)
29.6 .... 188 (9)*
29.7 445
29.20 .... 446 (5)
29.22 .. 446 (5)*, 453 (13)
29.24 ff. 456 (17)
chs. 30–31 .... 317 (22)
31.19 .... 551 (6)
34.16 305
35.6 109
35.7 ff. .... 187 (4)*
36.12 .... 442 (28)*
36.22 132
37.12 347
39.11 ff. 442
40.1 .... 446 (5)*
41.2 447
43.2 447
49.7 ff. 526 (31)
chs. 50–51 .... 307 (11)*, 450
50–51.58 .... 450 (9)*
50.59 .... 441 (26)
51.1 ff. 335 (46)
52.28 ff. .... 446 (5)*

Ezekiel

ch. 1 328
1.1 .... 323 (33)*
1.1–3 633
1.2 634
1.4 .... 323 (33)*
1.5 ff. 171
1.5–2.10 323
1.27 .... 323 (33)*
1.28 .... 323 (33)*
3.12 .... 172 (11)
3.17 ff. 329, 331 (42)
3.26 330
4.1 328
4.1 ff. 318
4.6 632
4.10 .... 316, 328
4.13 .... 308 (12), 346 (2)
5.1 328
ch. 8 323
8.1 .... 319 (27)*, 634
8.2 .... 172 (11)
8.3 ff. 319 (26)
8.12 .... 321, 452
8.16 ff. 319
9.2 .... 172 (11)
9.6 ff. 318
10.2 171

11.13 .... 319 (27)*
11.24 .... 172 (11)
14.9 .... 202 (9), 324
14.14 330
15.4 315
16.3 317
16.4 ff. 315
16.15–25 316
16.49 331
16.59 ff. 551
17.3 ff. 314
18.4 330
18.5 ff. 331
18.21 ff. 331 (42)
18.22 333
18.24 333
18.25 333
19.2 ff. 315
19.10 ff. 315
20.1 634
20.40 551
22.6 ff. 331
ch. 23 316
24.1 634
24.16 317
ch. 26 ff. .... 321 (29)*
26.1 634
28.1 ff. 337
29.1 634
31.1 634
31.3 ff. 314
31.10 ff. 338
32.1 634
32.2 ff. 322
33.1 ff. 329
33.10 ff. 331 (42)
33.11 329
33.30 ff. 326
33.31 ff. 314
34.2 ff. 332
34.17 ff. 332
35.10 551
37.15 ff. 317 (23), 551
38.10 ff. 339
38.23 340
ch. 40 633
ch. 40 ff. 328
chs. 40–48 .... 318 (25)*
40.1 634
40.3 .... 171, 172 (11)
43.5 .... 172 (11)
44.15 .... 314 (17)*
44.20 .... 187 (6)*
45.8 333
45.17 .... 283 (4)*
45.18 ff. 117 (27)
46.13 .... 283 (4)*
46.14 .... 283 (4)*
46.23 .... 103 (5)
47.13 333
48.1 ff. 551
48.35 552

Hosea

2.6–9 297
2.12–14 297
2.16 f. 192
3.3 298
4.1–2 299
5.1 299
7.3 ff. 300
7.11 300
8.6 300
9.10 357
9.15 .... 367 (32)*
10.4 299
10.13 299
11.1 356
11.8 356
12.2 300
12.8 300
12.9 299
13.2 300
13.14 357

Joel

1.8 f. 520
1.12 519
1.13 ff. 519
2.12 ff. 521
2.15 ff. 520
2.22 ff. 524
2.27 524
3.1 ff. 525
3.3 f. 526
4.1 f. 524
4.4 ff. 522
4.9 521
4.13 522
4.18 523
4.19 522

Amos

1.3 410
2.6–7 294
2.8 294
2.12 109
3.10 294
4.1 295
5.5 .... 367 (32)*
5.12 295
5.28 .... 62 (4)
7.12 294
7.14 .... 294, 492 (52)
7.17 .... 346 (2)
9.7 356

Obadiah

v. 15 f. 527
v. 18 .... 530, 547 (1)
v. 20 527

Jonah

3.5–10 538
4.8–11 539

Micah

1.9 .... 11 (11)

Nahum

1.2 ff. 306
1.4 306
1.8 306
1.11 308

2.1 309
2.7 307
3.1 308
3.4 308
3.5 ff. 307
3.10 307
3.12 306
3.16 .... 306, 309
3.17 306

Habakkuk

1.2–3 311
1.13 311
1.14 310
1.15 310
2.1 309
2.11 309
2.12 309
2.15 309
2.17 309
2.20 310

Zephaniah

1.8 .... 311, 432
1.12 312
1.13 312
1.18 .... 307 (11)*
2.3 312
3.1 ff. 312
3.8 .... 307 (11)*

Haggai

1.2 501
1.6 502
1.10 502
1.12 506
1.13 176
2.6 ff. 503
2.7 .... 545 (45)
2.11 ff. .... 555 (8)*
2.16 ff. 502
2.19 502
2.23 503

Zechariah

1.11 .... 173 (13), 507
1.13 .... 173 (13), 507
1.14 .... 307 (11)*
1.16 507
2.2 .... 173 (13)
2.6 504
2.7 .... 173 (13)
2.9 .... 506, 560 (15)
2.15 506
3.2 173
4.1 .... 173 (13)
4.2 504
4.6 506
4.7 506
5.2 504
5.7 504
6.1 504
6.4 .... 173 (13)
6.11 504
7.4 519
7.4 f. 505
7.9–10 505
8.16, 17 505
chs. 9–11 518
9.1 .... 527 (34)
9.7 533
9.8 ff. 533
9.9 189
9.13 .... 529, 530, 547 (1)
9.14 530
9.14 ff. 308 (12)
9.15 532
10.3 534
10.3 ff. 530
10.6 .... 547 (1)
10.6 f. 531
11.4–5 531
11.7 531
11.8 f. 532
11.11 532
11.14 .... 547 (1)
chs. 12–14 534
12.2–3 542
12.7 542
12.8 542
12.12 599
13.4 .... 577 (5)
14.2 542
14.3 542
14.3 ff. 543
14.5 542
14.7 543
14.8 544
14.16 ff. 542
14.16–19 112
14.20 ff. 545
14.21 545

Malachi

1.6 557
1.7 557
1.8 557
1.8 ff. 557
2.7 557
2.10 558
2.11 558
2.12 558
2.13 ff. 558
3.1 .... 177 (17)
3.8 ff. 271
3.10 .... 271 (10)
3.22 399

Psalms

19.8 269
19.9 ff. 95
20.8 189
33.16–18 244
34 177
37.1–5 243
37.16–17 243
37.23 243
51.8–12 244
51.17–19 245
51.20–21 245
64 .... 240 (2)*
68.28 39
73.2–14 242

73.18–19 ... 242
73.22–26 ... 242
74.8 ... 563
78 ... 177
78.25 ... 181
86 ... 240 (2)*
86.1–14 ... 245
86.11 ... 246
91 ... 177
93 ... 246
93.1–2 ... 247
94–99 ... 246
94.7 ... 244
94.8–9 ... 244
94.20–21 ... 244
95.1–7 ... 247
96.1–13 ... 247
97.1–9 ... 248
97.10 ff. ... 248
99.6 ... 249
103 ... 177
104 ... 177
104.12 ... 182
115.4 ... 301
119.50 ... 94
119.71 ... 94
119.92 ... 94
119.97 ... 94
122.3 ... 11
135.1–12 ... 249
135.15 ... 301
136 ... 249
136.10–20 ... 250
137 ... 453 (11)*
137.8 ... 453 (12)*

Proverbs

chs. 1–9 ... 204
1.5–8 ... 207
1.15 ... 205
2.1–9 ... 205
3.1–4 ... 207
3.5–12 ... 208
3.16 ... 205
3.28 ... 204
6.1 ... 204, 205
6.6 ... 205
6.29 ... 205
7.10–20 ... 204
8.19 ... 204
9.10 ... 572
chs. 10–15 ... 211 (13)*
10.1—22.16 ... 211
10.2 ... 210
10.3 ... 210
10.4 ... 208
10.15 ... 208
10.22 ... 210
11.28 ... 210
12.24 ... 209
13.4 ... 209
13.8 ... 209
14.20 ... 209
14.24 ... 209
15.3 ... 210
15.11 ... 210
16.1 ... 210
16.1—22.16 ... 211 (13)*
16.4 ... 227
16.8 ... 210
17.18 ... 209
18.10 ... 210
18.11 ... 209
19.4 ... 209
19.10 ... 209
19.21 ... 210
20.24 ... 211
20.27 ... 215
21.1 ... 210
21.2 ... 211
22.7 ... 209
22.17–18 ... 215
22.17—24.22 ... 213
22.29 ... 214
23.1–2 ... 214
23.10–11 ... 214
24.17 ff. ... 214
chs. 25–27 ... 211 (13)*
chs. 25–29 ... 211
25.21 ff. ... 214
26.4–5 ... 215 (18)
chs. 28–29 ... 211 (13)*
28.19 ... 209
ch. 30 ... 541 (43)
30.2–3 ... 212
30.5–9 ... 212
30.10 ... 212
30.13–14 ... 213
30.21 ff. ... 213
30.24 ff. ... 213

Job

1.21 ... 288
1.22 ... 288
3.19 ... 231
4.18 ... 177 (16)
5.1 ... 177 (16)
5.15 ff. ... 232
8.20 ... 233
9.23 ... 233
9.29 ff. ... 233
11.13 ff. ... 233
12.6 ... 233
15.15 ... 177 (16)
18.8 ... 482 (42)*
20.18 ff. ... 232
25.3 ... 177 (16)
31.13 ff. ... 232
33.23 ... 177 (16)

Ruth

1.16 ... 540

Lamentations

1.1 ff. ... 446 (5)
1.3 ... 446 (5)*
ch. 2 ... 451 (10)*,
453, 454
2.1 ff. ... 446 (5)
2.14 ... 454
2.19 ... 454

3.6 ff. 226
3.21–24 227
3.31–38 227
ch. 4 . . . . . . 451 (10)*, 454
4.2 . . . . . . 446 (5)
4.2–7 452
4.12 . . . . . . 446 (5)
4.20 452
4.22 . . . . . . 446 (5)

Ecclesiastes

1.16 236
1.18 236
2.11 ff. 238
2.18 237
3.9 237
3.15 239
3.16 236
3.19 ff. 237
4.1 236
4.5 238
7.11 238
7.15 236
8.8 239
9.2 ff. 237
9.11 237
9.12 . . . . . . 236, 310 (14)*
10.9 ff. 239
10.10 239
10.16 238
10.18 238
11.9 240
12.7 240

Esther

2.5 . . . . . . 39 (108)
9.19 216

Daniel

3.25 . . . . . . 177 (17)
4.14 . . . . . . 177 (17)
4.24 155
4.27 155
6.23 . . . . . . 177 (17)
8.13 . . . . . . 177 (17)
9.16 155
9.19 155
10.5 . . . . . . 177 (17)
10.21 . . . . . . 177 (17)
12.1 . . . . . . 177 (17)
12.2 . . . . . . 154 (14)
12.6 . . . . . . 177 (17)
12.13 . . . . . . 154 (14)

Ezra

2.1 ff. 511 (11)
2.36 . . . . . . 513 (19)
2.40 . . . . . . 23 (68)*
2.59 461
2.61 . . . 377 (46)*, 512 (16)
3.61 . . . . . . 46 (7)*
3.64 480
4.1 ff. . . . . . . 554, 555 (8)*
4.2 . . . . . . 549 (3)*
4.7 ff. . . . . . . 549 (3)*
4.10 . . . . . . 549 (3)
4.13 559
4.16 559
5.1 . . . . . . 504 (6)*
6.9 . . . . . . 283 (4)*
7.7 . . . . . . 23 (68)*
7.17 ff. . . . . . . 283 (4)*
10.23 . . . . . . 23 (68)*

Nehemiah

6.12 ff. 561
6.14 . . . . . . 560 (14)
7.6 ff. 511 (11)
7.39 . . . . . . 513 (19)
10.29 . . . . . . 23 (68)*
10.33 . . . . . . 282, 283 (4)*
10.38 . . . . . . 271 (10)
10.38 ff. 282
11.10 . . . . . . 513 (19)*
12.4 . . . . . . 504 (7)*

I Chronicles

3.5 ff. . . . . . . 377 (49)*
3.18 . . . . . . 466 (34)
4.18 556
5.41 . . . . . . 446 (5)*
8.12 . . . . . . 39 (107)
8.33 . . . . . . 367 (35)*
8.34 . . . . . . 367 (36)*
9.7 511
9.10 . . . . . . 513 (19)*
9.39 . . . . . . 367 (35)*
9.40 . . . . . . 367 (36)*
11.18 113
14.4 ff. . . . . . . 377 (49)*
16.39 . . . . . . 367 (37)*
21.1 . . . . . . 177 (17), 230
21.16, 18 ff. 177 (17)
21.25 . . . . . . 11 (13)
21.29 . . . . . . 367 (37)*
24.7 . . . . . . 22 (64)*, 513 (19)*
24.7 ff. 512
24.10 . . . . . . 512 (16)
28.3 595
29.11–19 229

II Chronicles

1.3, 13 . . . . . . 367 (37)*
2.13 556
11.12 . . . . . . 39 (108)
14.10 228
15.9 . . . . . . 39 (108)
15.10 . . . . . . 116 (25)*
16.7–9 229
17.17 . . . . . . 39 (108)
19.11 . . . . . . 508 (9)*
20.12 229
20.37 229
29.34 275
30.1 f. . . . . . . 547 (1)*
31.3 . . . . . . 283 (4)*
31.6 ff. 271 (10)
32.4 544
33.11 434
34.6 f. . . . . . . 547 (1)*

VERSIONS

Septuagint

Lev. 21.13 ....21 (59)
Lev. 23.15...........116
Deut. 6.4.........63 (8)*
Ezek. 1.3.......334 (43)*
Ezek. 8.2.......323 (33)*

Targum Jonathan

Ezek. 1.1 632
Ezek. 11.16 .....568 (21)

Targum Ps.-Jonathan

Exod. 19.16.....116 (24)
Exod. 29.30.....23 (68)*
Lev. 23.15 .....117 (26)*

Peshitta

Lev. 23.15 .....117 (26)*

APOCRYPHA

Tobit

1.7.............272 (11)
3.17............177 (17)
5.15..............15 (37)
7.14..............44 (3)*

Judith

8.15.................218
8.27.................218
9.11.................218
12.8.................127
13.16................218

Ben Sira

4.29.................221
7.17.................223
8.12.................222
10.11................153
10.30–11.1 223
11.11................223
13.21................222
15.11 ff. 224
15.14................177
17.27................153
21.27................177
25.24................224
26.29–27.20 220
31.3–4...............221
33.16................221
38.25–33.............221
41.3.................153
ch. 44 ....590 (17)
50.26................589
51.12 n 174 (14)
51.23............566 (19)

I Maccabees

1.39–41..............156
2.32............130 (50)
5.15.............40 (115)
7.12.................594
7.43.................643

II Maccabees

3.3..............283 (4)*
3.4..................583
4.9..................585
4.10.................585
4.12 ff. 586
4.24.................586
4.47.................590
5.25............130 (50)
15.36................644

Susanna

v. 61...........144 (75)*

PSEUDEPIGRAPHA

Testaments of the XII Patriarchs

Reuben
2.2..................251
3.3 ff. 251

Simeon
2.7..................251
3.1..................251

Levi
5.6.............177 (17)
9.11............274 (12)
9.12............277 (16)
12.5..............268 (8)
13.2..............264 (5)
14.6............562 (16)

Judah
16.1.................251

Issachar
3.5................44 (2)

Zebulun
6.1 ff. ....353 (10)*

Dan
1.6..................251

Gad
1.9..................251
3.1..................251

Asher
1.5..................252
7.1..................178

Aramaic and Greek Fragments
ed. R. H. Charles
(Old Testament of Levi)

p. 248, l. 3 ......274 (12)
p. 248, l. 9 ......277 (16)
p. 254, l. 15 ......268 (8)

Jubilees

1.1.............116 (25)
2.2.............177 (17)
4.15..............16 (47)*

4.16............16 (47)*
4.17.............264 (5)
4.20............16 (47)*
4.27............16 (47)*
4.28............16 (47)*
4.33............16 (47)*
5.13.................252
6.17...........116 (25)*
6.23............113 (20)
7.20 ff. 597 (22)
11.23..........353 (10)*
12.17...........114 (21)
15.27...........184 (37)
19.14............264 (5)
21.12...........277 (16)
21.16...........274 (12)
28.14, 23........268 (8)*
30.2..............268 (8)
49.10..........133 (59)*
50.8 ff. 130
50.10–11............643

Psalms of Solomon
5.4 ff. 252
8.12.................639
8.23............25 (73)*
9.7..................252

I Enoch
25.5–7...............147
45.1.................178
69.9–11.............230

IV Ezra
1.1............334 (45)*

Assumption of Moses
7.4 ff. ...98 (51), 193 (20)

Zadokite Document
(ed. Schechter)
p. 1, l. 19 ....

NEW TESTAMENT

Matthew
5.41............289 (20)
6.5.............97 (48)*
12.2 ff. ....97 (48)*
20.9..............15 (37)
22.35.............64 (11)
26.8...........192 (16)*
26.73...........60 (49)*

Mark
7.1 ff. ....97 (48)*
11.23.............69 (15)
12.13...............4 (3)*
12.29.................xvi
12.34.................xvi
12.38 f..........97 (48)*
13.29.............64 (11)
14.4..................192
14.67...........132 (55)
14.70...........60 (49)*

Luke
11.42.............70 (18)
14.17.............16 (44)
22.55...........132 (55)

John
7.15.............264 (5)
12.4...........192 (16)*

Acts
5.34..................xvi
15.22 f..........622 (37)
15.29...........535 (39)
23.6..................xvi
23.8..................179

Romans
11.1............39 (109)

Philippians
3.5.............39 (109)

JOSEPHUS

Against Apion
I. 22, 197.........11 (14)

Antiquities
I, 7.8..........353 (10)*
III, 10.1........283 (4)*
III, 10.5.......116 (24)*
III, 12.2..........21 (61)
IV, 8.13 ....63 (8)*
IV, 8.15 ....142 (71)
IV, 8.23 ....641 (2)*, 642 (4)*
IV, 8.35 641
VI, 3.2 (32).....365 (27)
VIII, 13.2 (324)...399 (6)
X, 6.3.........314 (16)*
XI, 8.3 ff........531 (37)
XII, 3.3.........581 (14)
XII, 5.1.........587 (16)
XIII, 5.9 ....255 (7)
XIII, 8.4 ......117 (26)*
XIII, 10.6 ......10 (10), 80 (21), 83 (3), 261 (1), 286 (10)
XIII, 13.5 ......110 (16)
XIII, 16.2 .....144 (76)*
XIV, 2.1.........615 (31)
XIV, 9.3.........284 (6)*
XIV, 13.1.......618 (32)
XVII, 2.4....xv, 10 (10), 609 (27)
XVIII, 1.2......91 (38), 93 (41)
XVIII, 1.3......80 (21), 82 (2), 158 (15), 186 (1), 195 (1), 253 (4)
XVIII, 1.4......10 (10), 126 (43)
XX, 9.1 ..83 (3), 286 (10)
XX, 9.2 ....23 (66)
XX, 9.6 ....23 (68)*

Life

45..............41 (118)
65..............41 (120)

War

I, 7.3..........130 (50)
I, 10.6..........284 (6)*
II, 8.3..........192 (14)
II, 8.7..........180 (24)
II, 8.9 ff. 77 (8)
II, 8.14....82 (1), 253 (5)
IV, 3.1 ff..........14 (24)
IV, 8.2 ....38 (102)
V, 1.4 ....13 (23)

PHILO

De Decalogo

30, 160 ....116 (24)*

De Humanitate

19.142...........60 (47)

De Monarchia

II, 8 ....21 (59)
II, 229 ....21 (59)

De Specialibus Legibus

II, 21, 176.....116 (24)*

MISHNA

Berakot

1.1..133 (58, 61), 274 (13)
1.7..............88 (28)
2.6..............47 (10)

Peah

2.6.............266 (6)*

Demai

1.1.............60 (49)*
2.2..............77 (9)*
2.3...............76 (4)

Shebi'it

9.2................7 (1)

Terumot

10.8............60 (49)*

Bikkurim

3.8..............13 (17)

Shabbat

1.3.............133 (57)
1.7.............286 (8)
7.1.............131 (52)

'Erubin

6.2.............137 (64)
8.2..............15 (38)

Pesahim

4.4.............135 (62)
4.5..............51 (21)
4.8...............61 (1)
5.5..............27 (78)
8.7..............15 (38)
10.9............133 (59)

Shekalim

1.1..............281 (1)
4.2 ff. 282 (3)
5.6.............16 (42)*

Yoma

1.3..............20 (54)
1.5.............119 (29)
1.6..............20 (54)
3.3.............275 (14)
5.1....119 (30)*, 120 (32)
6.4.............16 (42)*
7.4..............56 (31)

Sukkah

2.1..............87 (27)
2.7.......15 (34), 84 (10)
3.8..............13 (16)
chs. 4, 5 ....102 (2)

Rosh ha-Shanah

1.2......103 (5), 113 (19)
1.7.............603 (25)

Ta'anit

1.1.............111 (18)
3.9.............38 (105)
4.8..............55 (28)

Megillah

3.4..............281 (2)
4.8..............13 (18)
4.10...........316 (19)*

Hagigah

2.4.............116 (23)
2.7...............76 (6)
3.4..............30 (84)

Yebamot

1.4.............620 (34)
6.5.............516 (26)
8.3.................645
15.2 ff. ....99 (52)*

Ketubot

1.5..21 (60), 45 (4), 46 (7)
1.6–9...........99 (52)*
1.10............21 (62)*
2.7.............512 (17)
2.9.......21 (62), 22 (63)
4.10.............48 (13)
4.11............141 (68)
5.1..............45 (5)*
5.2...............45 (6)
5.6.............99 (52)*
5.9.............60 (49)*
13.10.....7 (1), 41 (119)*

Nedarim

2.4.............60 (49)*
5.5............41 (117)*
9.10.............89 (33)
11.4............99 (52)*

Sotah

3.4 . . . . 99 (52)*

Gittin

9.9 . . . . 16 (42)*

Kiddushin

1.1 . . . . 45 (5)
4.1 . . . . 21 (59)*
4.5 . . . . 16 (45)

Baba Kamma

6.6 . . . . 15 (31)
10.9 . . . . 60 (49)*

Baba Mezi'a

4.3 . . . . 38 (105)

Baba Batra

1.6 . . . . 15 (33)
4.7 . . . . 41 (119)
6.4 . . . . 15 (32), 46 (9)
9.9, 10, 11 . . . . 140 (67)

Sanhedrin

1.6 . . . . 41 (119)
5.1 . . . . 287 (13)
5.2 . . . . 286 (11)
6.4 . . . . 143 (72), 144 (76)*
7.2 641
10.1 . . . . 158 (16)
10.4 . . . . 317 (23)*

Makkot

1.7 . . . . 144 (76)*
1.8 . . . . 142 (71)
1.10 . . . . 287 (12, 14)

'Eduyyot

1.3 . . . . 14 (30)
2.9 . . . . 256 (13)
4.9 . . . . 16 (41)*
5.6 . . . . 78 (16, 17)
5.7 . . . . 256 (11)

Abot

1.1 . . . . 153 (13), 463 (30),
580 (12)*
1.2 . . . . 63 (6), 576 (2)
1.3 . . . . 590 (18)
1.9 . . . . 144 (76)*
1.11 . . . . 256 (10)*
1.15 . . . . 96 (46)
1.17 . . . . 96 (45)
2.5 . . . . 26 (74), 83 (6)
2.6 . . . . 288 (16)
2.8 . . . . 193 (23)
3.1 . . . . 258 (19)
3.15 . . . . 253 (3)
4.2 . . . . 257 (17)
6.4 . . . . 193 (24)

Horayot

1.3 639
3.8 . . . . 20 (54)

Menahot

6.2 640
8.3 . . . . 52 (24)
9.8 . . . . 278 (20)*
10.3 . . . . 116 (23)

Hullin

2.4 . . . . 185 (38)
5.3 . . . . 56 (34)
8.1 . . . . 60 (46)
8.1 ff. 59 (43)
8.4 . . . . 59 (44)
11.2 . . . . 60 (49)*

Bekorot

5.5 . . . . 76 (5)

'Arakin

2.4 . . . . 514 (21)

Me'ilah

6.1 . . . . 286 (9)

Tamid

1.3 . . . . 277 (16)*
5.1 . . . . 63 (9)

Kelim

15.6 . . . . 279 (22)

Oholot

5.2, 3 . . . . 77 (13)*
16.1 . . . . 86 (15)

Parah

3.5 . . . . 121 (33)
3.7 . . . . . . 123 (37, 38, 39)

Niddah

2.4 . . . . 99 (52)*
4.2 639
8.3 . . . . 99 (52)*
10.1 . . . . 99 (52)*

Makshirim

5.9 638

Zabim

3.2 . . . . 76 (5)
15.12 . . . . 123 (36)

Yadayim

4.3 . . . . 266 (6)*
4.4 . . . . 548 (2)
4.6 . . . . 279 (21), 283 (5)*,
284 (6)
4.7 . . . . . 128 (45), 637, 638
4.8 645

'Ukazin

3.12 . . . . 349 (8)

TOSEFTA

Berakot

3.3, p. 5 ....86 (19)
4.8, p. 9 ....17 (50)
4.10, p. 9 ....17 (48)

Demai

2.2, p. 47 ....77 (9)
2.13..........77 (11, 12)
2.14, p. 48 ....77 (10)

Ma'aser Sheni

5.16, p. 96 ......38 (105)

Shabbat

1.15, p. 111 ....77 (7)
ch. 6 (7) and 7 (8), p. 117, ff. 29 (81)
7 (8). 16, p. 118.192 (17), 193 (18)
7 (8) pp. 118–119..92 (40)

Pesahim

10.12, p. 173 ....133 (59)

Shekalim

2.1, p. 175 ....86 (18)

Yoma

1.8, p. 181 ......10 (10), 118 (28), 126 (43)

Sukkah

3.1, p. 195 ....103 (3)
3.16, p. 197 .....110 (16)
3.18, p. 197 ......103 (4)

Rosh ha-Shanah

1.12, p. 210......103 (4)

Megillah

1.5, p. 222 .....216 (20)*
4 (3).15, p. 226.....75 (3)

Mo'ed Katan

1.1, p. 229 ......40 (114)

Hagigah

2.2, p. 234 ......183 (28)
2.11, p. 236 ....84 (9)
3.35, p. 238 .....128 (44)

Yebamot

8.4, p. 250 ....86 (14)

Ketubot

1.4, p. 261 ....46 (8)

Baba Batra

7.10, p. 408 .....142 (69)

Sanhedrin

4.7, p. 421 ....16 (45)
6.6, p. 424 ......144 (76)

'Eduyyot

1.14, p. 456 .....256 (13)

'Abodah Zarah

8.4, p. 473 ......597 (22)

Zebahim

11.17, p. 497 .....68 (14)

Hullin

ch. 2 ....185 (38)*
8.3, p. 509 ......60 (46)*

Menahot

9.5, p. 526 ....52 (24)
10.23, p. 528 ....116 (23)
13.20, p. 533 .....68 (14)

Bekorot

2.12............77 (13)

Kelim

I. 1.6, p. 569 .....85 (12)

Oholot

5.11, p. 603 .....77 (13)*

Parah

3.6, p. 632 .....121 (33), 124 (41)
3.8, p. 632 .....121 (33), 125 (42)

Niddah

5.3, p. 645 ....10 (10)

Yadayim

2.20, p. 684 ....9 (3), 139 (66)

BABLI

Berakot

4a ....353 (10)*
7a 150 (7)
8b 58 (38)
19a 621 (35)
28a 86 (17), 89 (34), 98 (50)
33b 253 (6)
42a ....278 (20)*
43b 192 (15)
47b 29 (83), 32 (87)
60a 258 (20)
60b 288 (18)
63a 621 (36)

Shabbat

14b 278 (18)
15b 128 (47)
16b 128 (46*, 47)
17a 53 (25), 54 (26), 86 (15)
25a 14 (26)
30b 83 (5), 215 (17)
31a 90 (35), 516 (24)
62b 43 (1)
64b 99 (52)

86b ... 116 (24)
108a ... 640
116a ... 86 (15)
145b ... 445 (3)
148b ... 56 (35)
151b ... 88 (29)
153a ... 49 (17)

'Erubin

13b ... 9 (6), 620 (34)
41a ... 511 (13)*
53a ... 353 (10)*
53a–b ... 60 (49)*
53b ... 86 (20), 87 (21), 91 (36)

Pesahim

49a ... 35 (96), 36 (99)
49b ... 33 (89,90), 34 (93, 94, 95)
57a ... 38 (104), 23 (66), 71 (19)
66a ... 266 (6)*
69a ... 84 (11)
72b ... 278 (19)
109a ... 56 (32)
113a ... 17 (49)

Yoma

10a ... 340 (49)*
18a ... 13 (20)
19b ... 10 (10), 118 (28), 126 (43)
34b ... 132 (56)
35b ... 15 (39)
38a ... 15 (36)
40b ... 640
53a ... 118 (28)
71b ... 256 (10)*
75b ... 181 (25)
83b ... 170 (6)
87a ... 57 (36)
87b ... 57 (37)

Sukkah

48b ... 110 (16)
52a ... 258 (18)

Bezah

16a ... 259 (21, 22)
30a ... 56 (33)

Rosh ha-Shanah

7a ... 283 (4)*
16a ... 103 (4)
16b ... 170 (5)

Ta'anit

16a ... 539 (40)
23a ... 612 (30)
27a ... 38 (103)*

Megillah

7a ... 216 (19)
7b ... 216 (20)*
15a ... 309 (13)
19a ... 217 (21)
20a ... 38 (105)
25b ... 316 (19)*
26a ... 16 (42)*
29a ... 568 (21)

Mo'ed Katan

2a ... 40 (114)
16b ... 353 (10)*
22b ... 50 (19)*, 76 (5)

Hagigah

9b ... 193 (21)
13b ... xxiii
18a ... 38 (105)
25a ... 31 (86), 121 (34)

Yebamot

14b ... 9 (7)
49b ... 431 (21)
76b ... 541 (42)
90b ... 130 (51)

Ketubot

12a ... 46 (8), 47 (10)
17a ... 49 (16)
24b ... 512 (17)
63a ... 91 (37)
65a ... 13 (19)*
67b ... 16 (42)*
82b ... 44 (3)
106a ... 17 (51)
110b ... xxiii

Nedarim

9b ... 109 (14, 15)
48a ... 41 (117)*, 60 (49)*

Nazir

31b ... 52 (24)*

Sotah

22b ... xxiii, 99 (52)*
39a ... 278 (20)*

Gittin

34b ... 41 (116)
56a ... 13 (23)
56b ... 34 (92)*
90a ... 183 (31)

Kiddushin

6a ... 60 (49)*
31b ... 88 (31)
40b ... 97 (47)
43a ... 285 (7)
75b ... 550 (5)
81b ... 88 (30)

Baba Kamma

83a ... 187 (6)*
84a ... 641

Baba Mezi'a

59b ... 79 (18)
83b ... 288 (17)
85a ... 86 (16)

Baba Batra

8a 35 (97)
15a 578 (7)
57b . . . . .26 (74)*
60b . . . .99 (52)*, 188 (9)*
75a 464 (31)
91a 14 (28)
93b 17 (48, 50)
111a 142 (69)
115b 139 (66)

Sanhedrin

11a 602 (24)
11b 7 (1)
19a . . . . . .43 (1), 284 (6)*
23a 16 (42*, 43)
30a . . . . .16 (42)*
37b 287 (15)
38a 456 (18)
39b 354 (12)
43a . . . . .16 (42)*, 17 (51)
52b 641
56a 597 (22)
59b 183 (30)
64b . . . . .216 (20)*
68a 85 (13)
89a 292 (1)
97b 256 (12)
104b 87 (23)
109b 178 (19)

Makkot

5b 144 (75*, 76)

'Abodah Zarah

10a . . . . .340 (49)*
17a. xvi
18a. . . . . xix, 259 (24)

Horayot

4a 639

Menahot

65a 116 (23), 283 (4)
85b 52 (24)

Hullin

40a . . . . .185 (38)*
84a 16 (40)
105a . . . . .278 (20)*
106a . .60 (49)*, 278 (20)*
110a 56 (33)
116a 59 (45)

Bekorot

30b 77 (9, 11, 12, 13)

'Arakin

11b 23 (68)
16b 83 (7)

Temurah

16a 277 (17)

Me'ilah

17a . . . . .187 (6)*

Niddah

6b 31 (86), 121 (34)
33b 10 (10)

YERUSHALMI

Berakot

2.7, 5b . . . . .50 (19)*

Demai

2.2, 22d. 77 (11, 12)

Kilaim

9.3, 32b 39 (112)

Ma'aserot

1.1, 48c. 70 (17)

Shabbat

1.5, 3c. 77 (7)
ch. 16, 15d. . . . . .60 (49)*

Pesahim

3.7, 30b. 97 (47)
4.1, 30d. . . . . . . .38 (103)*
10.1, 37b 109 (13)

Yoma

1.5, 39a. 118 (28),
126 (43)

Sukkah

4.1, 54a. . . . . .103 (4)*

Rosh ha-Shanah

1.3, 57a. 103 (4)
1.3, 57b. . . . . .103 (4)*
2.1, 57d. 116 (23)

Ta'anit

2, 65b. . . . . .170 (5)*

Megillah

4.12, 75c. 316 (19)

Hagigah

1.7, 76c. 97 (47)
2.1, 77b. . . . . .16 (42)*
3.8, 79d. 128 (44)

Mo'ed Katan

3.1. . . . . .79 (19)

Yebamot

ch. 13, 13c 87 (22)
13.2, 14c. 317 (21)

Sotah

1.4, 16d. 133 (60)
5.7, 20c. . . . . .99 (52)*

Ketubot

1.5, 25c. 46 (8)
5.12, 30c. 13
8.11, 32c. 128 (46)

Nedarim

1.3. . . . . .109 (15)
9.11, 41c. 88 (32)

Gittin

9.11, 50d. . . . . .99 (52)*

Baba Batra

8.1, 16a. 139 (66), 142 (69)

Sanhedrin

1.2, 19a. 456 (18)
6.5, 23b. 144 (76)
10.6, 29c. 9 (4)

Horayot

3.5. . . . . .43 (1)

Niddah

1.3, 49b 87 (24, 25)
2.1, 49d. . . . . .87 (25)*

MINOR TREATISES

Abot of R. Nathan

I, 1, 1b. . . . . . . .463 (30)*, 580 (12)*
I, 1, 2b. 580 (13)
I, 1, 3a 183 (30)
I, 3, 7b. 96 (44)
I, 5, 13b. . . .80 (20*, 21), 153 (13)*, 186 (2)
I. 12, 28b. 20 (54)
I. 16, 32a. 317 (21)
I. ch. 16, 63a. . . .16 (42)*
I. 41.67a 88 (31)
II, chs. 1–4. . . . . .580 (12)
II. 1b . . . . .463 (30)*

Semahot

2.11. . . . . .87 (24, 25)
3.6. . . . . .49 (15)

10.15. . . . . .50 (18)
10.16. . . . . .50 (19)

Soferim

14.14. . . . . .16 (42)*

MEGILLAT TA'ANIT

chap. 1. . . . . .116 (23)
1.1, scholion. 283 (4)
ch. 4 640
ch. 4, scholion. 641
ch. 5, scholion. . .139 (66)
ch. 7 640

SEDER 'OLAM RABBAH

ch. 25. . . . . .456 (18)
ch. 26 632

TANNAITIC MIDRASHIM

Mekilta

Bo
ch. 17, p. 68 . . . . .87 (26)

Beshallah, Vayyehi
ch. 1, p. 94. . . . . .340 (49)*
ch. 3, p. 99. . . . . . . .256 (9)
ch. 5, pp. 104 ff. 40 (113)*
ch. 6, p. 112. . . . 184 (32), 322 (32)

Beshallah, Shirah
ch. 3, p. 126. . . . . .184 (34)

Beshallah, Vayyassa'
ch. 1, p. 158. . . . . .257 (15)
ch. 1, p. 159. . . . . .116 (24)
ch. 2, p. 161. . . . . .259 (23)

Jethro, 'Amalek
ch. 2 . . . . .9 (3)
p. 200. . . . . .109 (12)

Jethro, Bahodesh
ch. 3, p. 212. . . . .116 (24)
ch. 7, p. 229. . . . .259 (22)
p. 239 . . . . .184 (35)

Mishpatim
ch. 8, p. 277. 641
ch. 20, p. 327. . . .144 (76)
ch. 20, p. 328. . . .287 (15)

Mekilta of R. Simeon

6.3. . . . . .183 (29)
13.5. . . . . .257 (14)
13.11. . . . . .257 (14)
14.25. . . . . .184 (33)
19.17. . . . . .97 (47)
23.7. . . . . .287 (15)

Sifra

Ahare
perek 3, 81a. 118 (28)

Behukkotai
perek 1.1, 110d . .612 (30)

Emor
perek 1.7, 94b . . .516 (26)
perek 12, 110d. . .116 (23)

Kedoshim
perek 4.9, 89b 83 (7)

Mezora'
perek 9.12, 79c. . .99 (52)*

Sifre Numbers

112 . . . . .270 (9)
142 . . . . .283 (4)*

Sifre Zutta

Num.
28.2. . . . . .283 (4)*

Sifre Deuteronomy
1 ....84 (8)*
1.1..............527 (34)
32 ....288 (19)
37 ....346 (3)
41 ....97 (47)
43 ....331 (41)*
48 ....9 (3)
79 ....86 (18)
94 ....287 (15)
105 ....70 (16)
116 ....16 (42)*
190 ....142 (71)
229 ....15 (32)
237 642
321 ....456 (18)
348 ....40 (113)
352 .....20 (55), 21 (57), 39 (111)
355 ....52 (24)

Midrash Tannaim
Deut.
31.24............52 (24)

LATER MIDRASHIM

Genesis Rabbah
11.4..............56 (33)
ch. 16 ....597 (22)
16.4...........340 (49)*
ch. 20 ....52 (23)
26.5............182 (27)
26.7............60 (49)*
28.7............193 (22)
33.3............39 (112)
36.1............260 (25)
41 (42).2.......340 (49)*
44.12............170 (5)
50.9.............168 (4)
65.22...........594 (19)
70.5............516 (25)

Leviticus Rabbah
9.3..............36 (98)
13.4............193 (21)
19.4............87 (25)*
35.6............193 (21)
35.10...........612 (30)

Canticles Rabbah
1.4.............193 (21)
2.14.............97 (47)
3.5.............257 (16)

Lamentations Rabbah
ch. 1, 28b........91 (36)
1.5 (32) 13 (23)
1.16 (50)..13 (19, 21, 22*)
4.2......16 (44), 17 (48), 24 (72)*
4.16 (50)........16 (42)*

Esther Rabbah
1.3..............48 (14)*
7.8.............217 (21)

Pesikta of R. Kahana
100b 597 (22)
117a 193 (21)

Midrash ha-Gadol
Deut.
11.22.............9 (3)*

Midrash Psalms
104, 221b.......182 (26)

RASHI
Esther
2.10...........217 (22)*

SEFER HASIDIM
W-F, 363, p. 111; and 1552, p. 380....170 (7)

INDEX TO SUBJECTS

Aaronids, and proselytes, 516; and Hellenists, 583–584; relation with Levites, works on, 706.

Abel-meholah, Elisha meets Elijah at, 402.

Abimelech, priest of Nob, 370–371.

Abishai, 381.

Abner, 372, 373–374, 375.

Abraham, determined rainfall on Rosh ha-Shanah, 114; and moral responsibility of the individual, 149–150; visited by angels, 164–165, 174, 354; hospitality of, 165–167; a shepherd, 353; pacifist, 354; promised Canaan by God, 358; symbol for Cyrus, 471; source of inspiration to Second Isaiah, 482.

Abraham ben David of Posquières, quot., 323–324.

Absalom, 380–381.

Abtalyon, and free will, 256, 680; and sacrifice of paschal lamb, 643.

Acts of the Apostles, 179, 180.

Admon, patrician judge, 141–142.

Aggression, policy of, *See* Militarism.

Agricultural products, taxes on, 28, 69–72; purity of, 30.

Agrippa II, 13.

Agur ben Yakeh, Widsom of (Prov.30), 211–213, 541.

Ahab, King, cavalry of, 189, 395, 676; and Divine Providence, 196; reign of, 390–406, 411.

Ahaz, King, 320, 416–417, 430, 513.

Ahaziah, King, 406, 408, 411.

Ahijah of Shiloh, 385, 387.

Ahikam, 442, 698.

Akaba, Gulf of, 378.

Akabiah ben Mahalalel, 78, 79, 620; quot., 256.

Akiba, disciples of, 1, 96; School of, 39; marriage of, 45; and Eliezer ben Hyrcanus, 78–79, 84–85; at Academy, 83–84; humility of, 90, 91; and study of Law, 103; and Sukkot festival, 103, 666; on inheritance, 140; and angels, 181, 182; and anthropomorphism, 322; literary power of, 464; loyal Pharisee, 620; and women's rights, 665–666.
Quoted: on early dislike of scholars, 33; on righteousness, 86; on angels, 183–184; on poverty, 194; on free will, 253, 256–257; on capital punishment, 286–287; on love of God, 288.

Alcimus, 593–595.

Alexander the Great, 529, 706; conquers Persia, 570. *See also* Obadiah, Deutero-Zechariah.

Alexander Jannaeus, xxiii, 76, 110, 611–612.

Alexandra, Queen. *See* Salome.

'*am ha-arez*, as applied to early provincials, 25–32, 654; later meaning of, 32–36, 700; rules *re*, quot., 34; antonym of Pharisee, 76–77, 662; lack of culture of, 83–89; Elijah and, 401–402; gain power, 411–413; appoint a King, 439. *See also* Elisha, Jehu, Hanael.

'*am Judah*, variant of '*am ha-arez*, 415

Amalekites, 368–369, 694.

Amasa, 381.

Amaziah, King, 415.

Amil Marduk, 335, 465–466, 701.

Ammonites, 366–367, 379; Joshua ben Hananya on, 547–548.

Amos, 19, 341; quot., 109; cit., 175, 410; his concept of equality analyzed, 294–295; comp. with Hosea, 300, 301, 357, 358, 686; as universalist, 356, 564.

Angelology, of pre-exilic religion, 160–171; exilic, 172; Pharisaic *vs.* Sadducean doctrines of, 173–185; in Proverbs, 212; Second Isaiah's, 490; of Zechariah, 505; of Isaiah chs. 24–27, 536; of Trito-Zechariah, 542; of Hasidim, 574, 600; works *re* foreign influence on Pharisaic, 674.

Animals, controversy *re* purity of, 642–643.

Anthropomorphism, in early biblical records, 161–162; absent in later prophets, 307; of Ezekiel, 316–317, 322–323, 689; in later mystical works, 323–324. *See also* Angelology.

Antigonus, 618–619.

Antigonus of Socho, 95, 153, 154, 588, 590.

Antiochus Epiphanes, 8, 147, 154–157, 512, 563, 584, 590–593.

Antiochus III, 581–582.

Antipater, 614–615, 616, 618

Antony, 618.

Anxiety, futility of, 258.

Aphek, first battle of, 363–364, 365; second battle of, 371.

Apocalypses, Isaiah 24–27; analyzed 536–537, 540, 541.

Aptowitzer, cit., 644–645.

Arabah, 378, 382.

Aram-zoba, conquered by David, 378, 379, 380; consolidated, and Israel, 390; Ahab fears, 394; and Elijah, 401, 405–406, 696; after Ahab, 407–410; and Judah, 416, 423.

Aramaic, version of Bible, and anthropomorphism, 161–162; language of North, 553.

Aretas, 614–616.

Aristobulus, King, 610–611.

Aristobulus II, King, 612–617.

Aristocracy. *See* Patricians, Sadducees, Hasmoneans.

Aristophanes, quoted, xxiv.

Ark of the Covenant, 189, 319, 363, 364, 376.

Arrogance, sin of, 155, 228, 331, 340.

Artaxerxes, 559.

Asa, King, 667; reason for defeat of, 228–229; Ben-hadad helps defeat Baasa, 388, 411.

Assimilationism, 61, 66, 152, 154, 172, 351, 361, 363, 377, 384, 513, 555–559, 649. *See also* Hellenism; Manasseh; Ezra; Marriage, mixed.

Assumption of Moses, 193.

Assur-bani-pal, 434, 435, 436, 548.

Assyria, immigrants to Palestine from, 7; revolts against, 25; vices of, denounced by Nahum, 308–309; uses Jewish kingdom as buffer state, 416–436 *passim*, 697; purposes of, in dispersion of Israelites, 547–548; reason for Hezekiah's rebellion against, 550.

Astarte, worship of, introduced into Temple, 431. *See also* Idol-worship.

Athaliah, Queen, 24, 395–396, 407, 411, 413, 430, 513.

Atonement, Day of, anecdote *re*, 13; festival of, 54–58, 659; Pharisees and Sadducees on, 107, 114–115, 118–121, 127, 668; lights on, 134–135; performance of ceremonies, 265, 276–277; portion from Second Isaiah read on, 495.

Autumn Festival, 15, 54–55, 659.

Baal, worship of, 1, 3, 28, 228, 345, 361, 365, 367, 369, 405, 407, 411, 417, 419, 426, 450; Hosea denounces, 295–298, 300; Jezebel introduces, 394–395; Jehu and, 410. *See also* Idolatry.

Baasa, 388.

Babylonia, revolts against, 25, 550; Day of Atonement in, 56; exile in, 171–172, 262, 263, 328, 335, 681, *see also* Exile, Babylonian; suzerainty of Judah, 318–321; Ezekiel's hostility to, 335–340; uses Jewish kingdom as buffer state, 420–442 *passim*; fall of, 476–479.

Bacchides, 594.

Bar Kokeba, rebellion of, 31, 664.

Barley, cut before the Omer in Jericho, 67, 667; first sheaf of, cut from fields, and Shabuot, 115; and calendar, 602.

Barzillai family, 695.

Bath-sheba, sin of, comp. with that of Naboth, 403.

Beer-sheba, shrine of, 365, 693.

Ben Azzai, 45; quot., 32, 85, 86.

Ben-hadad, 388, 407.

Ben Sira, 152, 154, 178, 301, 566, 644, 709; quot., 153, 177; analyzed, as a patrician philosopher, 220–225, 588–590, 691.

Benaiah ben Jehoiada, 382, 654.

Bene Bathyra, and sacrifice of paschal lamb, 643; and authority *vs.* argument, 681.

Benjamin, tribe of, 24, 39, 290, 511, 512, 583, 656.

Benjaminites, 366–370, 372–373; accept David as King, 374; revolt against David, 381. *See also* Saul.

Beruriah, quot., 86, 87.

Bet Din Ha-Gadol. See Gerousia.

Beth-horon, 383.

Beth-el, shrine at, 191, 295, 362, 365, 387, 549, 564, 693.

Betrothal, length of, 450. *See also* Weddings.

Bible, 1, 58, 67, 104, 139; quot., 29, 52. *See also* Scripture, Psalms, Deuteronomy, etc.

Biblical Law. *See* Bible, Scripture, Inheritance, False witnesses, etc.

Biblical period, works of, 649.

Bi-partisan control of Government, 9, 705. *See also* Oral Law, Great Assembly, Pharisees.

Boethusians, synonym for Sadducees, 663.

Boion, on tithing, 71.

Book of Jubilees. *See* Jubilees.

Book of Palaces (*Sefer Hekalot*), 323.

Book of the Pious, quot., 170.

Booty from "holy" war, and Samuel *vs.* Saul, 368–369, 694–695.

Bracton, quot., 198.

Bunyan, John, comp. with Pharisees, xviii.

Buzi, 318, 320.

Caesar, 618.

Cain-Abel story, as pacifism, 351–354, 691.

Calebites, 515, 556.

Calendar, controversy *re*, 601–603.

Cambyses, 500.

Canaan, Israel in, 62, 116, 186, 358, 359, 362; David and, 377, 378.

Capital punishment, in Jerusalem, 17, 287, 607, 671–672; Sadducees *vs.* Pharisees *re* method of, 641; and Resurrection, 664.

Carchemish, battle of, 318, 439, 440.

Celibacy, 44, 45.

Ceremonies, ancestral, farmers' devotion to, 345–346; plebeians' devotion to, 349–350. *See also* Sacrificial system, Temple, Marriage, etc.

Chaldeans, Habakkuk foresees conquest of Judea by, 310–311; Ezekiel admires, 335; and Judah, 420–421. *See also* Babylonia.

Charles, R. H., trans. quot., 147.

Children, 162, 198, 268.
Christianity, and Pharisaism, ix; spread of, in provinces, xi, xiv–xv, 32; and Decalogue, 65; and non-resistance to evil, 288–289.
Chronicles, cit., 11, 112–113, 177, 178, 271, 272, 434, 511, 512, 544, 556, 577, 595; as plebeian philosophy, 228–230; quot., 274–275.
City, and country, xxiii–xxvi, 24–62, 32–34, 36, 37, 82, 308, 656; ancient texts on, 43; women in, 47; artisans of, cf. with peasants, 60; social attitude of, 149, 200, 202, 293, 342, 357.
Circumcision, of exilic period, 172; of angels, 184; and Priestly Code, 462; Hellenists and, 571, 585. *See also* Samson legend.
Civil Law, and inheritance, 138–139, 669; protects landowners, 267; on responsibility of masters for slaves, 685, *see also sub* Individuality.

Civil War, 611–612.
Clan-consciousness, of aristocrats, 149, 293, 359.
Class-consciousness, in Jerusalem, 16, 132; plebeian, 230–234, 236–240. *See also* Benjamin, Judah.
Clothing, sheet as, 16, 652.
Commerce, of Jerusalem and Judah, 14, 416, 418, 433–434; David's policy *re*, 382–384; of northern kingdom, 390–394, 695; of foreign countries, 651.
Conscription, law on, 597.
Copper mines, of Transjordan, 378, 382, 386, 387, 390, 392.
Corpse, unidentified. *See Met mizvah.*
Corvée, Solomon's, 383, 385, 392.
Country gentry, 25, 33, 34, 41, 346, 350, 358, 430, 446, 515.
Courts of justice, penalties in, Pharisees *vs.* Sadducees, 83, 286–287. *See also* Sanhedrin, False witnesses.
Craftsmen, 24, 41, 83, 264, 328, 446.
Criminals. *See* Courts of justice.
Croesus, 469, 470.
Cultural guidance, plebeians reject, of patricians, 19, 652.
Culture. *See* Social grace, Patricians, Plebeians, Provincials, etc.
Cutheans, 548. *See also* Samaritans.
Cynicism, plebeian, 230–234, 236–240; ended by Maccabean victories, 250.
Cyrus the Great, 173, 467, 468, 469–470, 471, 474, 476–480, 500, 509, 701.

Damascus, Sect of, xviii, 291, 568, 708; province of Israel, 379; Israel loses, 382; aids Judah, 388; Aristobulus invades, 613.
Daniel, Book of, 154–155, 177, 178, 536, 578, 592; quot., 155.
Darius, 500, 503, 507, 508.
David, establishes Jerusalem, 11, 12, 378; provincials' loyalty to dynasty of, 25; and use of horses, 189; proposes built sanctuary, 189, 376; and Divine Providence, 196, 229; a shepherd, 353; prestige of, 355; wars of, 370–374, 378–379; king of united Israel, 374–380; resistance to, 380–381.
Davidic dynasty, modern scholar's view *re* legitimacy of, 644–645.
Decalogue, in Temple service, 63, 65.
Demetrius, 593.
Democracy, of resurrection, 147–148; of plebeian philosophy, 212–213; of plebeian law, 268–269; David's, 374, 376; of Babylonian exiles, 460–462. *See also* Equality.
Determinism, of provincials, 254–255. *See also* Fatalism.
Deutero-Isaiah. *See* Second Isaiah.
Deuteronomy, cit., 28, 29, 64, 142, 144, 150, 188, 189, 202, 268, 271–272, 420, 423–424, 437, 439, 464, 509, 551;

quot., 34–35, 36, 63, 95, 104, 169, 199, 201, 270.

Deutero-Zechariah, 518, 519; as a rural prophet, analyzed, 528–532; interpolations in, 532–534.

Dietary laws, on fowl with milk, 58–60, 659–660; and Priestly Code, 462; conversion of provincials to, 534–535. *See also* Olives, Wine.

Dispersion. *See* Exile, Babylonian.

Divine Providence, 195–197; and plebeian philosophy, 226–230, 252–254; Job's disbelief in, 231–234; in appendices to Job, 234–235; and Psalms, 242–246, 248, 249; accepted by all Pharisees, 255, 606; in Zephaniah, 312; Hasidim and, 574, 600. *See also* Plebeians, philosophy of; God; Nationalism; Second Isaiah.

Divorce, 21, 44.

Doctrine, formulation of, 573. *See* also Hasidim, history of.

Drunkenness, a rural sin, Hosea denounces, 295.

Duhm, cit., 490; and Second Isaiah, 627, 629.

Duplicity, Hosea denounces, 295.

Ebiathar, 371, 377.

Ecclesiastes. *See* Koheleth.

Edom, province of Israel, 379; Israel loses, 382; ally of Babylonia, 449, 452–453, 699; Obadiah and, 526, 527, 528, 530; John Hyrkan conquers, 587–598. *See also* Idumeans.

Ego, consciousness of, 150, 158; development of, 196–202. *See also* Moral responsibility, Resurrection.

Egypt, influence of, on Proverbs, 213–214; loses suzerainty of Judah, 318, 388; effect on Ezekiel of visit to, 321–322, 335; Ezekiel uses, to denounce Babylonia, 336, 337; uses Jewish kingdom as buffer state, 420–440 *passim*; conquered by Persia, 500, 508; reason for Hezekiah's confederacy with, 550. *See also* Tobiads.

Ehud, at Ha-Pesilim, 190.

Elah, 388.

Elasa ben Shaphan, 698.

Eleazar ben Azariah, 85, 259, 656.

Eleazar ben Zadok, 641, 705, 710.

Eleazar ha-Kappar, 109.

Eleazar of Modin, 516.

Elephantine papyri, 419.

Eliakim, 439. *See also* Jehoiakim.

Eliezer ben Enoch, 78.

Eliezer ben Hyrcanus, 1, 34, 38, 78–79, 87, 133, 184, 317, 516, 620, 655, 665, 680; quot., 32, 32–33, 84, 85, 256, 687.

Elihu, appendix of, to Job, 235.

Elijah, 7, 19, 196–197; and Samaria, 395, 397–398, 399–407; later estimates of, 398–399.

Elijah, Gaon of Wilna, xvii.

Elisha, 402, 407–408, 410.

Elisha ben Abuyah, 79.

Emancipation of women, in plebeian law, 268–269. *See also* Women's rights.

Embalming, and resurrection, 146.

Employees, treatment of, in Jerusalem, 16–17.

En-gedi, produce of, 38.

England, law of retaliation in, in twelfth century, 197–198.

Enoch literature, 146–147, 152, 177, 178, 179; quot., 147, 177–178, 230.

Ephraimites, 317, 362–366, 372; accept David as King, 374; after David, 385; and Deutero-Zechariah, 532, 534; as the Samaritans, 547. *See also* Samuel.

Equality, human, Pharisees *vs.* Sadducees on, 284, 342–343, 516; prophetic ideal of, 292–294, 342–343, 686; ideal lacking in Hosea, 300–301; Isaiah, 301–302; Jeremiah, 302–305; Micah, 305–306; lacking in

Nahum, 306–309; Habakkuk, 309–311; Zephaniah, 311–312; Ezekiel, 324–334, 341; Second Isaiah, *see sub* Universalism; urban, 535–541. *See also* Clan-consciousness, Democracy.
Esarhaddon, 431.
Essenes, 9, 77, 180, 192, 254–255, 291, 568, 708; and Hasideans, 573.
Esther, Book of, cit., 39, 177, 179, 644; analyzed as patrician philosophy, 216–217; comp. with story of Judith, 216–219; writing of, attributed to Sages, 578.
Ethical tradition of Jews, 203–204; Amen-em-ope's maxims comp. with, 678.
Eulogy, forms of, 48–50.
Eve, sin of, and free will, 224–225.
Excommunication, origin of, 79–80.
Executions. *See* Capital punishment.
Exile, Babylonian, historical significance of, 443–445; classes deported to, 446, 451, 455, 456; culture of Palestine during, 447; Jeremiah's followers in, 456–465, 700; early hope for a restoration, 465–466; Ezekiel and, 466–467; under Cyrus, 479–481; Second Isaiah with, 489; Haggai with, 504–505.
Exodus, quot., 104, 131, 168, 184, 273, 282; cit., 162, 169, 188, 189, 190, 197, 281.
Ezra, 263, 461, 480, 510–511, 512, 558, 561, 562–568 *passim*, 590; quot., 553–554, 559.

Falashas, 603.
False witnesses, Sadducees *vs.* Pharisees on law of, 142–144, 671–672.
Fatalism, and Divine Providence, 195-197. *See also* Free will.
Fate, three views of, 195; plebeians' free will *vs.*, 202, 224, 251–254. *See* also Fatalism, Determinism.
First Commonwealth. *See* Social Strata, Israel, Judah, Pacifism, Militarism, etc.
Flogging, 83–84.
Food. *See* Dietary laws.
Frazer, Sir James, 58.
Free will, 184; Fate *vs.*, 202, 224, 251–254; psalmists' denial of, 244, 245–246; works on, 677. *See also* Moral responsibility; Patricians, philosophy of.
Freedom, growth of concept of. *See* Equality, prophetic ideal of.
Funeral rites, 49–50, 658.

Galilee, 7; sociological strata of (chart), *see sub* Palestine; purity of produce of, 30, 655; survival of purification ceremony in, 31; social structure of, 40–42; customs of, comp. with Judah, 43, 60, 660–661; marriage customs of, 46, 47; widow's rights in, 48, funeral rites in, 49–50; olive-growing in, 52–54; and eating of fowl with milk, 59; and tithing, 72; its views of Pharisees' urbanity, 97; lights on Sabbath and Day of Atonement in, 134; use of oil in, 192; Phoenicians buy strip of, 382; offers help to Judea, 619. *See* also Paschal festival; Atonement, festival of.
Gamaliel I, 620.
Gamaliel II, 34, 87, 133, 664; Academy of, 83; quot., 86, 89, 98, 278.
Gaon, Saadia, 464.
Gaumata, 500.
Gedaliah, 442, 447, 448, 698.
Geiger, A., cit., 131, 642–643.
Gemariah ben Shaphan, 698.
Genesis, quot., 44, 150, 161, 163, 164, 167–168, 169, 183; cit., 109, 161, 164, 169, 170, 182, 187, 188, 191, 201, 331, 338, 354, 355, 379, 423, 424.
Gentiles in new Commonwealth, status of, 597.

Gerousia, 576–577, 582–583, 607–608. *See also* Sanhedrin.
Gershom, Rabbenu, 263.
Gezer, 383.
Gibeah, seat of Philistine governor, 365, 372.
Gibeon, 367–368, 372, 377, 381, 694.
Gilgal, shrine at, 190–191, 363, 365, 367, 676, 693–694.
Ginzberg, Louis, cited, xxii.
Gischcala, olive trees of, 52.
Glassware, purification of, 128–130.
Gluttony, 193.
God, wrath of, 150, *see also* Vengeance; impersonal angels of, 160–172; and Job, 234; as origin of human thought—Ezekiel, 324; Ezekiel's mature conception of, 333–334; changing conception of, 443–445. *See also* Divine Providence, Anthropomorphism.
Grace after Meal, 682; quot., 58, 579.
Great Assembly, 576–580, 661, *see also* National Assembly.
Farmers, and artisans, 37, 38, 60; of lowland, cf. with those of highland, 39, 40, 290; and Joel, 179; and social conflict, 294, 342; and Nahum, 308; and Kenites, 352; worship of, 345, 419, 431; *see also* Provincials, Patricians, '*am ha-arez.*
Gressman, cit., 211.

Habakkuk, 306, 316, 341; comp. with Nahum, 307; social concept of, analyzed, 309–311.
Hadrian, persecutions of, 31, 85, 96, 259, 563.
Haggai, 176, 177, 501–504, 505–508, 704, 705.
Hair, significance of uncut, 187, 188–189, 675; arrangement of, 676.
Hakoz, family, 512.
Halizah, Sadducees *vs.* Pharisees *re*, 642. *See also* Marriage, levirate.
Hananiah ben Hezekiah ben Gorion, 259.
Hand washings, for Temple, 273–277; before and after meals, 278, 682; after contact with a holy scroll, 278–279.
Hanina ben Teradyon, 86, 259.
Ha-Pesilim, temple at Gilgal, 190–191.
Hasidim, 1, 3, 29; scholars' interpretation of Law against Sabbath reaping, 69; quot., 94; resurrection, 152–157; interpolations of, in Proverbs, 205–206, 208, 210–211, 227; appendices of, to Job, 234–235; glosses of, to Koheleth, 237–240; glosses of, to Psalms, 248, 249; and Divine Providence, 251; humanitarianism of, 541; history of, 573–574; reason for prestige of, 574–580; and Antiochus Epiphanes, 592–593. *See also* Pharisees, Essenes.
Hasmoneans, 14, 20, 22, 67, 80, 110, 649; *vs.* Hasideans, and resurrection, 157; and free will, 251; militarism of, 593–596, 598; new aristocracy, 596–605, 610–619. *See also* Hyrkan, John; Maccabeans, Sadducees.
Hazael, 407, 409, 410.
Health, Levitical laws as rules of, 27–28.
Heavenly Chariot, controversy over, 182–183; Ezekiel's conception of, 328, 334.
Heave-offering, defined, 651.
Hebron, 381.
Hecataeus of Abdera, 509.
Helene, Queen, 15.
Heliodorus, 584.
Hellenism, 1, 3, 22, 66, 152, 154, 312, 412; aristocracy and, 570–571, 574–575, 610; plebeians and, 571–573; Sadducean party heir of, 608. *See also* Tobiads.

Herem. *See* Booty.
Herod, 22, 67, 80, 285, 512, 618–619, 684, 685.
Herodians, 3, 13, 33; and *Shema*', 66; and *nizzok*, 638; defined, 649.
Hezekiah, King, 417–430, 431, 433, 435, 437, 438, 550, 683, 698.
High Priest, history of office of, 22–23, 80; under Persia, 508; and Hasidism, 574–576, *see also* Great Assembly. *See also* Priests, Tobiads.
Hillel, 15, 84; and purity of olives, 53; meekness of, 83, 89–90; pupils of, 96, 124, 259; and Heavenly Chariot, 182; and proselytes, 516; School of, 619–620, *see also* Hillelites; and sacrifice of paschal lamb, 643; and authority *vs.* argument, 681.
 Quoted: on '*am ha-arez*, 26; on teachers, 83; on poverty, 193; on anxiety, 258; on Divine Providence, 287–288.
Hillelites, 1, 3, 10, 652; and work during Passover festival, 51; and purity of wine, 54; and size of *mahol*, 55; and eating fowl with milk, 60; humility of, 90–91; and '*am ha-arez*, 662.
 Quoted: on praise of bride, 49; on Shammaites, 98, 665.
Hofni, 363–364, 693.
Honi, quot., 615.
Horses, use of, 189, 383, 384, 395, 534.
Hosea, 171, 294, 308, 315; quot., 192; social teachings of, analyzed, 295–301, 686; politics of, 356–358.
Huldah, prophetess, 438, 442.
Humanitarianism, in Jerusalem, 17. *See also* Equality, Universalism.
Huxley, Thomas, quoted, xvii.
Hyrkan ben Joseph ben Tobiah, 580–581, 583, 584–585.
Hyrkan, King John, 157, 274, 425, 597–598, 606–608, 610.
Hyrkan II, King, 612–618, 684, 685.
Idol-worship, identified with luxury, 191; Jeremiah denounces, 303; Micah denounces, 305; effect of, on Ezekiel, 319–321, 324–325; Solomon and, 383, 384; Jeroboam and, 387; Jezebel introduces, 394–395; at Mizpah, under Babylonia, 449. *See also* Baal worship, Elijah, Temples, Second Isaiah, etc.
Idumeans, rule Judea, 614–619. *See also* Edom.
Images, opposition to, 187, 675.
Immortality, and inheritance, 670. *See also* Resurrection.
Individual, recognition of. *See* Moral responsibility, Free will.
Individuality, absence of conception of, in pre-exilic times, 162–163, 674; name and, 169–170, 674; *re* masters and slaves, 283–285, 684–685; *re* accessory before the fact, 285; growth of concept of, *see* Equality, prophetic ideal of. *See also* Free will.
Inheritance, Pharisees *vs.* Sadducees on rights of daughters to, 138–142, 670. *See also* Widow's rights.
Intention, deed *vs.*, 197, 200, 496, 677. *See also* Vengeance, False witnesses.
International Right, Isaiah's doctrine of, 416. *See also* Universalism.
Irrigation, in Palestine, 28; see also *nizzok.*
Isaac, sacrifice of, 167, 168; a shepherd, 353; pacifist, 354.
Isaiah, 310, 311, 312, 316, 341, 406, 464, 564; quot., 24, 40, 95, 145, 173, 178, 197, 201–202, 606; cit., 146, 151, 171, 176, 191–192, 202, 267, 301, 446, 450, 543; his concept of equality, analyzed, 301–302; rise of, 415; pacifist doctrines *re* foreign allegiance, 416–431 *passim*, 438. *See also* Second Isaiah, Apocalypses.

Ishbaal, 367, 372, 373, 374, 375, 694.
Ishmael, 1, 86, 87–88, 96, 181–182, 183, 184, 185, 256, 257, 620, 664; quot., 181.
Ishmael ben Phiabi, 124.
Israel, efforts to unite, *see* Samuel, Saul, David, Solomon; southern kingdom, *see* Judah; northern kingdom, 390–410; as a buffer state, 417, 423; list of references to, in Second Isaiah, 703. *See also* Samaria, Obadiah, Deutero-Zechariah.
Israel Baal Shem, Rabbi, xxi.
Isserlein, Israel, 263.

Jabesh-gilead, 366, 374–375.
Jacob, embalmed, 146; a shepherd, 353; pacifist, 354; list of references to house of, in Second Isaiah, 703.
James, William, cit., 346.
Jannai, King, 76. *See also* Alexander Jannaeus.
Jason, High Priest, 586, 591.
Jebusites, David's treatment of, 377.
Jedaiah, clan of, 596, 706.
Jehoahaz, King, 439, 441.
Jehoash, King, 411–415.
Jehoiachin, King, 440, 465–466, 701.
Jehoiakim, King, 132, 320, 334, 439–440, 585, 690.
Jehoiarib, clan of, 513, 653, 706.
Jehonadab, 408.
Jehoram, 407–408, 411.
Jehoshaphat, King, and Divine Providence, 229; joins Ahab against Aram, 406, 411.
Jehu, 408–410, 411.
Jephthah, 7.
Jerahmeelites, 515, 556.
Jeremiah, 12, 14, 18, 150, 151, 172, 176, 298, 306, 307, 310, 315, 317, 320, 324, 341, 357, 550, 564, 565, 698; quot., 18–19, 24, 136, 432; cit., 109, 200, 201, 202, 301, 347, 415, 450; denounces social oppression, 302–304, his concept of equality, analyzed, 304–305; foreign policy of, 436–442 *passim*; during Exile, 445, 455, 472; forced into Egypt, 447.
Jeremias, Prof., cit., 135, 138.
Jericho, produce of, 38, 655; transfer of estate titles of, to Temple, 38, 68; customs of, 61–72; climate of, 131–132.
Jeroboam, and shrine at Beth-el, 191; and Ephraimite corvée, 383, 385; king of northern tribes, 385–388.
Jerusalem, 7; sociological strata of (chart), *see sub* Palestine; social structure of, 11–23; tax for poor of, 28, 69–72, 270–272; influence on Judea and Galilee, 43, 60; widow's rights in, 48; funeral rites in, 49–50; climate of, 132, 378; concept of freedom in, 293; Ezekiel rejects primacy of, 317–318; income of, 382; destroyed, 442, 449, 591; hopes for rebuilding of, *see* Second Isaiah; rebuilding of, 501; rebuilding of wall, 559–561. *See also* Paschal festival; Atonement, festival of; etc.
Jeshua ben Sira, 96.
Jezebel, 394–398, 400, 403, 406, 408, 409–410.
Jezreel, plain of, 40, 107, 371, 388; Ahab's capital, 400, 408.
Joab, 373–374, 381.
Job, Book of, 151, 152, 176–177, 178, 179, 541; analyzed as plebeian philosophy, 231–235; quot., 288.
Joel, 178–179; as a rural prophet, analyzed, 518–523, 524, 525–526, 706; interpolations in, 523–524, 525, 532.
Johanan ben Nuri, 84; quot., 83.
Johanan ben Zakkai, 33–34, 90, 96, 124–125, 182, 286, 620, 654; quot., 124, 279.
Johanan the Hauranite, 84.
Jojarib family, 596.

Jonah, Book of, 521, 537–540, 636.

Jonathan, 367, 370, 375, 693.

Jonathan ben Mattathias, 157, 594–595.

Joram, King. *See* Jehoram.

Jordan. *See* Transjordan, Cisjordan.

Jose, 1, 59, 86, 96, 658.

Jose ben Joezer, 130, 594, 663.

Jose ben Johanan, 130, 663.

Joseph, embalmed, 146.

Joseph ben Kismah, quot., 259.

Joseph ben Tobiah, 574–575, 580–581, 587.

Josephus, 10, 21, 41, 77, 80, 91, 96, 102, 110, 124, 126, 180, 186, 192, 195–196, 251, 254, 531, 581, 587, 609, 615, 616, 641.
  Quoted: on attitude to Pharisees, xv; on Pharisees *vs.* Sadducees, 82, 261; on Law among Pharisees, 91, 93; on Fate *vs.* free will, 253; on Aristobulus II and Hyrkan II, 614; on Pompey's siege, 617.

Joshua, Book of, 464; quot., 95, 116.

Joshua, High Priest, 501, 504, 507.

Joshua ben Hananya, 1, 86, 90–91, 103, 182, 256, 516, 547–548, 620; quot., 32, 547–548, 665.

Joshua ben Korha, quot., 288.

Joshua ben Levi, 682.

Joshua ben Perahya, 597.

Joshua Ha-Garsi, 640.

Josiah, King, 11, 314, 319, 320, 334, 435–439, 441, 442, 550, 565.

Jotham, as regent, 415.

Jubilees, Book of, 113–114, 116, 130–131, 177, 178, 179, 184, 252, 268, 274, 276, 277, 536, 601, 603, 604, 605, 636, 643.

Judah, land of highlanders, 24, 39, 656; as kingdom, 386–388; social conflict in, 410–417; trade of, 416; as a buffer state, 416–440; subjected by Babylonia, 440–442; during Exile, 445–451, 551, 699; *see* also Second Isaiah; Sheshbazzar appointed governor under Cyrus, 480; exiles return to, 480–481, 509; Zerubbabel governor, 500–508; Persian governors appointed, 508. *See also* Provincials, Judea, Judaites, Ezekiel, Carchemish, Haggai, Zechariah, Persia.

Judah ben Bathyra, 183.

Judah ben Ilai, 1, 109, 655–656; quot., 49, 660.

Judah ben Mattathias, 593–594.

Judah ben Tabbai, 612, 671, 672; quot., 144.

Judah the Prince, 39–40, 185, 662; quot., 35, 86.

Judaites, and Samuel *vs.* Saul, 368–369; and David, 370–374, 378, 381; after David, 383, 385–388; Athaliah and, 395; effect of return of, on Samaritans, 553; results on, of Samaria's rejection, 555–559; signs of maturity of, 561; friendly with Samaritans, 561. *See also* David, Judah.

Judea, 7, 8–9; sociological strata of (chart), *see sub* Palestine, also social strata; purity of produce of, 30; social structure of, 37–40; customs of, comp. with Galilee, 43, 60, 660–661; marriage customs of, 45, 46; widow's rights in, 48; funeral rites in, 49–50; wine-making in, 54; and eating of fowl with milk, 59; climate of, 131–132; lights on Sabbath and Day of Atonement in, 134; belief in resurrection in, 158; simple life in, 187, 192; and tithing, 272; concept of freedom in, 293; under Idumean ruler, 618–619. *See also* Paschal festival; Atonement festival of.

Judges, Book of, quot., 108, 169, 188, 347; cit., 189, 190, 362, 363.

Judgment, four periods of, Sadducees *vs.* Pharisees on, 113–114.

Judith, 127–128, 636; comp. with Esther, 217–219; cit., 362.
Justice, social, *see* Equality, human; Vengeance, Reward and punishment; political, *see* Courts of justice.

Karaites, 134, 643, 667.
Kenites, 515, 556, 691. *See also* Cain-Abel story.
Kings, Books of, quot., 24, 108, 190, 196–197, 396, 397, 399, 400, 401, 402, 403, 404, 406, 407, 408, 410, 411, 414, 415, 417, 421, 432–433, 437, 438, 563; cit., 150, 191, 196, 281, 301, 334, 383, 385, 387, 388, 390, 407, 412, 418, 434, 442, 549, 565.
Koheleth, analyzed as plebeian philosophy, 235–240.

Lamentations, 3d chap. analyzed as plebeian philosophy, 226–227; 4th chap., nationalist, 451–453; 2d chap., pietist, 453–455.
Land laws, attempts to enforce, 290–291.
Land-ownership, development of, 38–39; social effects of, and Amos, 293–295; effect of use of money on, 393–394.
Lauterbach, Jacob Z., explanation of Day of Atonement controversy, 119–120.
Law, 8, 9 *re* purity, *see* Purity; quot., on marriage, 46; *re* eating fowl with milk, 59; *re* reaping on Sabbath, 69; on flogging, 84; content of, 91–93; study *vs.* practice of, 96–97; *re* priests owning land, 420, 509; on Egypt, 424; *re* temple on foreign soil, 455; on Moabites, 541; *re* Holy Land, 552–553; and Antiochus Epiphanes, 591; *re* Gentiles, 597, 709; *re* conscription, 597. *See* also Torah, Deuteronomy, Civil Law, Oral Law, Atonement, etc.
Lay associate of High Priest, 508, 705.
Learning, patricians' early contempt for, 18; priests' lack of, 20; provincials' lack of, 29; Pharisees' respect for, 91–95; patricians' later views of, 95–96, 664; and Great Assembly, 579–580. *See also* Scribes, Oral Law, etc.
Legal institutions, development of. *See* Oral Law.
Legalism, development of, during Babylonian Exile, 462–465.
Leszynsky, cit., 643–644.
Levirate marriage. *See sub* Marriage.
Levites, rivalry of, with priests, 2, 513–514, 582, 653; classes of, 23, 514, 653; tax for support of, 28, 69–72, 270–272; mentors of plebeian farmers, 37–38, 514; property owners, 514–515; works on relation of, with Aaronids, 706.
Levitical laws of purity. *See* Purity.
Leviticus, cit., 53, 69, 115, 268, 424, 462; quot., 57, 105, 116, 119, 122, 304.
Lex talionis, Sadducees *vs.* Pharisees *re*, 641, 710.
Liberalism, of Pharisees, 9–10; of Levites and Scribes, 23.
Living, standard of, in Jerusalem, 13, 16, 658; patrician *vs.* plebeian, history, 186–192; later struggle for simple, 192–194, 675; Pharisees' *vs.* Sadducees', 186, 193.
Lots, scholars *vs.* Sadducees *re* drawing, for sacrifice of he-goats, 640.
Loyalists, 588–596 *passim*. *See also* Simeon II, Nationalism.
Ludd, produce of, 38; and commerce of Jerusalem, 447.

Maccabean Age, philosophy of, and after, 250–260.

Maccabeans, 7, 13, 40, 67, 74, 116, 117, 120, 121, 130, 312, 425, 594. *See also* Hasmoneans.

Maccabees, Books of, quot., 156, 585, 586, 589, 590, 594; cit., 512, 583, 587, 644.

Maimonides, 58, 323, 464, 659.

Malachi, 177, 179; quot., 271, 399, 557–558.

Manasseh, King, 319, 320, 430–435, 437, 438, 513, 550, 565, 698.

Manichaeism, xii.

Mann, J., cit., 644.

Marital congress, purity for, 642.

Mark, cit., 192.

Marriage, among Pharisees, 9; of near relatives, 16, 652; among priests, 21–22, 23, 653; Deuteronomy quot., on, 34–35; plural, 18, 41, 43, 652, 656, 665; customs of, 43–47, 657; contract, 45, 48, 656; levirate, 163, 169–170, 611, 642, 652; mixed, 555–559, 561–562, 589. *See also* Monogamy.

Martyrdom, Jeremiah on, 320; religious, in Jerusalem, 431; Hasids and, 592–593.

Materialism, of lower classes in time of Jeremiah, 18; of priests, 21. *See also* Patricians, philosophy of.

Mattathias of Modin, 156, 593.

Meal-offerings, Sadducees *vs.* Pharisees *re*, 640.

Measurement of the Height (*Shi'ur Komah*), 323.

Media, Ten Tribes exiled in, 326, 444, 479.

Megiddo, 439.

Meir, 1, 39, 40, 79, 86, 133, 170, 655–656; quot., 34, 184, 260.

Meir of Rothenburg, 263.

Mendelssohn, Moses, xxii.

Menelaus, High Priest, 512, 586–587, 590–591, 709.

Menorah, purification of, 128–129.

Menstrual impurity, Sadducees *vs.* Pharisees *re*, 639. *See also* Purity, laws of.

Merodach-baladan, 420.

Messianic hopes, 8, 73, 145, 189, 335, 503, 507, 600, 655, 697.

Met mizvah, 645.

Metals, purification of, Sadducees *vs.* Pharisees on, 128–130.

Meyer, Eduard, cited, xxvi.

Micah, 12, 176, 298; his concept of equality, 305–306.

Micaiah, 405–406, 426.

Michal, 370, 376.

Militarism, farmer's 346–347; patrician's, 350–351, 361, 692; Shiloh priest's, 362–364; Saul's, 366–371; David's, 370–374, 377, 378; Solomon's, 384; Ahab's, 405–406; Elisha and, 407; revolts against Babylonia, 440–442; of Haggai, 503–504; Hasmoneans', 593–596, 598. *See also* Deutero-Zechariah.

Milton, John, quoted, xviii.

Mishna, interpretation of, 1–2; and division of Palestine, 7; *re* laws of purity, 30, 544–545; *re* widow's rights, 48; *re* Atonement festival, 56; *re* customs of Jericho, 61–72; growth of, 93; *re* red heifer ceremony, 123–124; and Sabbath prohibitions, 131; on Sabbath lights, 131, 133; on resurrection, 158; and angels, 185; on hand washing, 276, 279. Quoted: on purity, 30; on work during Passover festival, 51; on Pharisee *vs.* '*am ha-arez*, 76–77; on Day of Atonement lights, 135. Cited: *re* controversies between sects, 637–640 *passim*; *re* ritual documents, 645.

Mithraism, xi.

Mixed marriages. *See sub* Marriage.

Mizpah, shrine at, 108, 365, 693; and Babylonian governors, 449, 471, 630.
Moab, province of Israel, 379; Law and, 541, 707.
Modesty, of Galileans *vs.* Judeans, 47.
Modin, village of, and laws of purity, 30.
Molin, Jacob, 263.
Money, 695; introduction of economy of, during Ahab's time, 393–394.
Monogamy, and marital life, 665.
Monotheism, early, 166.
Moral responsibility, individual, 149–151, 167, 197, 225, 284; deed vs. intention, 202, 677–678; Ezekiel and, 324, 325, 329–334; and Babylonian exiles, 489; and Second Isaiah, 490. *See also* Free will.
Mordecai, a Benjaminite, 39, 644.
Morning Bathers, 9, 650.
Mortgages, farm, and money, 394.
Moses, God's appearance to, 168; and Oral Law, 266; a shepherd, 353; Elijah comp. with, 399; power of expression of, 464; derivation of Law from, 463, 701.
Mount Carmel, Elijah's assembly on, 400.
Mount Horeb. *See* Elijah.
Mount of Olives, red heifer ceremony on, 123, 127.

Nabopolassar, 435.
Naboth's vineyard, 397, 402–403, 404, 405.
Nadab, 388.
Nahman, 670.
Nahum the Elkoshite, 310, 450; philosophy of, analyzed, 306–309.
Nathan the Prophet, and built sanctuary, 189–190, 376; quot., 184.
National Assembly, 400.
Nationalism, movement toward, 66–67, 73–74, 680; farmers', 344, 345–347; of prophets, 355–356; and foreign sympathy, 425; of Babylonian exiles, 451–453; of Haggai, 503–504, 506; and marriage, 555–556. *See also* Social strata, Loyalists, Simeon II, Second Isaiah.
Nazirites, 188, 365.
Nebuchadnezzar, arrogance of, 155; conquers Judah, 439–442, 449; and seditious prophets, 453; Cyrus upholds plans of, for Negeb, 479. *See also* Babylonia.
Nebuzaradan, 442.
Necho, Pharaoh, 439.
Necromancers, and Saul, 368.
Nehemiah, 508, 512, 559–561; quot., 136, 282; cit., 271.
Nergal-Shar-Usur, 335, 466–467.
New Covenanters, 9.
New Year, celebration, 54; Additional Prayer for the, 674.
Nicanor, 594.
Nisan, fourteenth day of, not observed in Jericho, 61. *See also* Paschal festival.
Nittai the Arbelite, 597.
Nizzok, Sadducees *vs.* Pharisees *re*, 637–639.
Noachic laws, 597, 709.
Nomadic culture, 295–296, 352–353, 686, 691.
Non-aggression, doctrine of. *See* Pacifism.
Non-resistance to evil, 287–289.
Numbers, Book of, cit., 28, 64, 69, 139, 188, 271–272; quot., 129–130, 150, 270, 355.

Obadiah, 391, 400, 518; as a rural prophet; analyzed, 526–528, 529, 530.
Oil, use of, 192–193.
Olives, purity of, 52–54.
Omri, 388–389, 390, 391, 392, 696.
Onias II, 575.
Onias III, 584–585, 587.

Opportunism, a patrician policy, 344, 375, 384, 386, 391; effect of Ahab's, on prophecy, 391–392. *See also* Social Strata, Hezekiah.

Oral Law, 180, 600; rejected by Sadducees, 261, 266; early development of, 261–267; as adjustment of Written Law, 267–270; on tithes, 270–272; on hand washings, 272–280; accepts system of landownership, 289.

Original sin, 224–225.

Pacifism, of early Pharisees, 287, 345, 347–350; of patricians, 351; and Cain-Abel story, 351–354; of patriarchs, 354–355; of plebeians, 361, 680; of Samuel, 364–366, 368–369; of Zechariah, 504, 506; Darius trusts Judah's, 508; in Second Zechariah interpolation, 534; Nehemiah *vs.* urban prophets', 560; reconciled with militarism, *see* Hasmoneans, militarism of. *See also* Isaiah, Hasidim.

Palestine, 2; sociological strata of, last decade of Second Commonwealth (charts), 4–5; provinces of, 7; twentieth-century, 516–518; a single unit, 550. *See also* Jerusalem, Judea, Galilee, Jericho.

Pappias, 322; quot., 183.

Parents, authority of, Biblical *vs.* plebeian law on, 268–269.

Paschal festival, 50–51. *See also* Nisan.

Paschal lamb, sacrifice of, on Sabbath, 643.

Passover, 27, 103, 113, 115, 116, 117, 126, 133, 601–602, 669. *See also* Paschal festival.

Patriarchs, pacifism of, 354–355.

Patricians, as a class, 4; income of, 14; and learning, 18, 95–96; and provincials, 24, 654; philosophy of, 204–209, 214, 216–219, 220–225, 246–250, 251, *see also* Opportunism, Militarism; and Oral Law, 261, 266, 269–270; and tithing, 270–271; in David's kingdom, 377, 380–381; after Solomon, 383–385; under Ahab, 393–394; foreign sympathies of early, 424–425, 440; under Josiah, 437–438; old, under Persia, 510–511; and Hellenism, 570–571, 574-575, 610, *see also* Tobiads. *See also* Sadducees, Hasmoneans, Shammaites, Senaa, etc.

Paul, a Benjaminite, 39.

Peasant revolt, 409. *See also* Hazael, Jehu.

Pentateuch, Sabbath reading of, 134; and "angel of the Lord," 165, 179; and sanctuaries, 189; and hand washing, 274; and human equality, 342–343; *re* "Ammonite," 547; *re* Ten Tribes, 552; Samaritans accept authority of, 561. *See also* Priestly Code.

Pentecost, celebration of, 13, 103, 265, 600. *See also* Shabuot.

Peraea, 7. *See also* Transjordan.

Persia, officials of, and patricians, 201, 509; provincials under, 25, 510; appoints Jewish governors, 480, 500; places own governor over Judah, 508; rural prophets under, 518–534; and rebuilding Jerusalem's wall, 559; Alexander conquers, 570. *See also* Cyrus, Darius.

Personality, name signifies, 169–170; extended, 285–286, 684–685.

Pesah. *See* Passover.

Pestilence, Jews' comparative immunity to, 273.

Peter, 132.

Pharisaism, spread of, ix; and Christianity, x; and Mohammedanism, x; a political slogan, 76; survey of, 99–100; history of, 606–609, 611–619; fissure in party, 619–620.

Pharisees, accusations against, xv; 97–100; and prophetic teaching, xvi; and Puritans, xvii; and Rabbinic Judaism, xxi; and urban life, xxiii; organization of, 1, 3, 649; open-mindedness of, 9–10, 650; priests as, 23; and word "Baal," 29; and *Shema'*, 66; and Sabbath reaping, 69; on tithing, *see* Tithing; comp. with Sadducees, 80–81, 82–83; and learning, 91–97; accusations against, 97–100; legal controversies with Sadducees, 101–144, 281–285, *see also* Oral Law; divided on free will, 255–260; and hand washing, 275–277, 278–280; divided *re* principal and agent in crime, 285; and foreign allegiance, 425; and Synagogue, 569; and Hasideans, 573, 606; demands of, from Queen Salome, 612–613; seven types of, 665. *See also* Pharisaism; Shammaites; Hillelites; Purity, Society for enforcement of.

Philanthropy, in Jerusalem, 17.

Philippi, battle of, 618.

Philistines, Abraham's treaty with, 354; marriage with, forbidden, 355, 362; subjection of Israel to, 363–367, 693; Benjaminite raid on, 367–368; and David, 371–372, 377–378; and Jeroboam, 387–388; and Assyria, 426, 429, 430.

Philo, 60.

Phinehas, 363–364, 693.

Phoenicians, in Galilee, 382; Omri's treaty with, 390; Ahab vassal of, 394, 401.

Phylacteries, Sadducees *vs.* Pharisees *re*, 640.

Pietists, faith of, 66, 74; maxims of, 205–206, 208, 210–211; appendices of, to Job, 234–235; glosses of, to Koheleth, 237–240; and Psalms, 243–246, 248, 249; under Manasseh, 432–433; among Babylonian exiles, 453–455. *See also* Hasidim.

Plebeians, as a class, 4; homes of, 14–15; wages of, 15; and learning, 18, *see also* Scribes, Prophets; as spiritual mentors, 19–20; and provincials, 24–25; and Fate *vs.* free will, 202, 224, 251–254; philosophy of, 211–213, 215, 217–219, 226–246, 248, 249, *see also* Nationalism; law of, *see* Oral Law; in David's kingdom, 379–380; after David, 383–389; and Ahab, 393–394, *see also* Elijah; foreign sympathies of early, 424, 440; effect of Sennacherib's raid, 430, 431, 433–435; and Hellenism, 571–573, 581, *see also* Hasidim; and Hasmoneans, 599–605. *See also* Pharisees; Exile, Jeremiah's followers in; Loyalists; etc.

Poetry, replaced by prose, 463–464.

Polygamy, in Jerusalem, works on, 652. *See also* Marriage, plural.

Pompey, conquest by, 65–66, 615–618.

Population, of Jerusalem, 11–12, 609.

Prayer-meetings, pietists establish private, 432, 563–565, 708. *See also* Synagogues.

Predestination, and free will, 252–253.

"Priestly Code," 461, 700.

"Priestly blessing," 278, 682.

Priests, rivalry with Levites, 2, 513–514, 582; lack of learning among, 20; as landowners, 20–21, 290–291, 508–509; as mentors of landowners, 37; suspicious of Pharisees, 76; criticized by psalmist, 244; as psalmists, 246–250; and Law, 264–266; Levites required to tithe for, 270; David and, 377; Jehoash and, 413–414; under Persia, 508–514; Malachi shows corruption of, 557; and synagogues, 567–568. *See also* Hand washings.

Prophets, true and false, 1, 2, 3, 292, 426, 441, 454, 493–494; and resurrection, 152; and angels, 171; birthplaces of, Sages' method of determining, 309; David and, 376, 377; Jeroboam and, 387; Ahab and, 391–392, 394–406 *passim*; from Ahab to Jehoash, 408–411; Jehoash and, 413–414; and village temples, 418–420; and Isaiah, 426; under Manasseh, 431–433; under Josiah, 436–437; of exilic Palestine, 450–451; types of, in Babylonia, 451–455; become legalists, 462–463; rural, during Persian period, 518–534, *see also* by name; urban, 534–541, *see also* Apocalypses, Trito-Zechariah; ethical lesson *re*, 539–540; synagogues and, 563–565; last of true, 577–578. *See also sub* Equality, Prophets by name, etc.

Prose, replaces poetry, 463–464.

Proselytes, among Babylonian exiles, 461, 491, 700; of the Pharisees, 498–499; Zechariah welcomes, 506; in Second Commonwealth, 515–516; and dietary laws, 535; Samaritans as, 550; as wives, 556, 561; Law *re*, 597; Idumeans as, 598, 614; Aristobulus and, 610.

Proverbs, Book of, 177, 572; history of, 203–204, 211, chs. 1–9, analyzed, 204–208; examples of patrician philosophy in, 208–209, 214; pietistic maxims, 210–211; examples of plebeian philosophy in, 211–213, 215; Sages and, 215–216, 257.

Provincials, Palestinian, 24–37; philosophy of, 254–255, 257, 342; prophets of, 518–534. *See also* Judah, Ephraimites, etc.

Psalmists, and resurrection, 152.

Psalms, quot., 11, 39, 94, 95, 177, 181, 182, 269, 301, 453; cit., 189, 563, 699; history of, 240–241; philosophy of, analyzed, 241–250; glosses to, 245, 248, 249.

Purification ceremony. *See* Red Heifer.

Purim, observance of, in Book of Esther, 216, 679; modern scholar raises controversy *re*, 643–644.

Puritanism, its relation to Pharisaism, xvi; accusations against, similar to those against Pharisees, xx.

Purity, laws of, 17, 26–28, 30–32, 180; boundary lines of, 30; of olives, 52–54; of wine, 54; and Priestly Code, 462; Trito-Zechariah on, 544–545; Sadducees *vs.* Pharisees on, 637–639; Society for enforcement of: issue of organization of, 74–75, 606, 662; unique characteristics of, 75–76; "Separatists," 76; political aspect of, 76, *see also* Pharisaism; rules of admission and expulsion, 77–78, 662; cases of expulsion, 78–79; number of members, 609. *See also* Pharisees, Red heifer, Hand washings, Geiger.

Rachel, grave of, 39.

Rain ceremony. *See* Sukkot week.

Ramah, shrine at, 365.

Ras Shamra inscriptions, 58.

Rebellion, Jeremiah opposes, 320. *See also* Pacifism.

Red heifer, ceremony of, 17, 27, 31; Pharisees *vs.* Sadducees on, 121–128.

Reformation. *See* Josiah.

Rehoboam, 385.

Resurrection, confession of faith in, 110–112; Pharisees *vs.* Sadducees on, 145–159, 673; poor man's hope for, 145–152; democracy of, 147–148; and moral responsibility, 149–151; opponents of, 152–153; and persecutions of Antiochus Epiphanes, 154–157; and belief in angels, 178, 536, 574; and capital punishment, 664; works *re* foreign influence on Jewish belief in, 672–673.

Revelation on Sinai, and Shabuot, 116.

Reward and punishment, Ezekiel's teaching on, 333; Second Isaiah's teaching on, 497.

Ritual documents, controversy *re* dating, 645.

Roman Law, 139, 142. *See also* Civil Law.

Rome, conquest of Palestine, 8, 13, 31, 33, 66, 282, 447, 615–619. *See also* Titus, Vespasian, Pompey, etc.

Rosh ha-Shanah, 113, 114. *See also* New Year.

Russia, described in synagogues of Czarist regime under cipher, 340–341.

Ruth, Book of, 540–541, 556, 636.

Sabbath, prohibition against reaping on, 69; fighting on, 130, 156–157; Pharisees *vs.* Sadducees on kindling lights for, 130–135; Pharisees *vs.* Sadducees on merging households on, 135–138; of exilic period, 172; observance of, 258–259; of *shekalim*, 281; and extended personality, 286–287; and "Priestly Code," 462; among Babylonian exiles; Nehemiah on, 560; visits to prophet customary on, 563; Hasmoneans and, 599; sacrifice of paschal lamb on, 643; traveling on, 668.

Sacrificial system, 62, 661; of exilic period, 172; criticized by psalmist, 245. *See also* Lots, Paschal lamb.

Sadducees, 1, 3, 608, 649; comp. with Pharisees, 10, 80–81, 82–83, 97; priests as, 23; and *Shema*ʻ, 66; comp. with Shammaites, 83; legal controversies with Pharisees, 101–144, 281–285; number of, in Palestine, 158; gluttony of, 187, 193; reject Oral Law, 261, 266, 269–270, 277, 279; derivation of name, 662–663. *See also* Patricians, Hasmoneans.

Sages, and word "Baal," 29; and tithing, 70; and angels, 180–185; and use of oil, 192; and Proverbs, 215–216; and Book of Esther, 217; *re* social teaching of prophets, 292; *re* birthplaces of prophets, 309; and use of symbols for persecutors, 340; on Jonah story, 538–539; collect and edit prophets, 578. Quoted: on tithing, 71; on literary power, 464; on Queen Solome, 612. *See also* Atonement, festival of; Scholars; Sages by name; etc.

Salanter, Rabbi Israel, xxii.

Salome, Queen, 130, 275, 610, 611, 612–613.

Samaria, 7, 11, 40; Hosea denounces sins of, 298–300; as Omri's kingdom, 390; Ahab's, comp. with Jerusalem, 392; Assyria conquers, 417–418, 547; under Cyrus, 480. *See* also Israel, Ahab, Jezebel, Elijah.

Samaritans, 642; descendants of Ten Tribes, 547; character of, 548–549; folkways, 549–553; break with Judaites, 553–555; complain of Judaites to Persia, 559; struggle with Nehemiah, 560; friendly with Judah, 561; and Antiochus Epiphanes, 591; John Hyrkan conquers, 597.

Samson, 355, 362, 692.

Samuel, 190–191, 364–369, 371, 379, 385, 405; quot., 62, 108, 196, 229–230, 376, 381; cit., 188, 189, 190–191, 347, 362, 363, 368, 374, 376, 379, 403, 444, 661, 693.

Sanhedrin, and change in marriage customs, 44; place of meeting of, 63; and Society for enforcement of purity, 77; Shammaites at meetings of, 84; and purification of metals, 129; *vs.* Menelaus, 590; Hasmoneans and, 597–603; disbanded, 607–608; re-formed, 612–618; and responsibility of masters for slaves, 684, 685. *See also* Courts of justice, *Gerousia.*

Sargon, 420.

Satan, evil attributed to, 230–231; as author of Job's troubles, 235.

Saul, 190–191, 366–371, 372, 373, 374, 375, 377, 693.

Scholar *vs.* provincials, after Second Commonwealth, 33–36; Shammaitic, quot., 83–89 *passim*; in *Gerousia*, 576–577, *see also* Sanhedrin. *See also* Sages, Scribes.

School, punishment in, 83–84.

Scribes, liberalism of, 23; organize Society for enforcement of purity, 74, 76, 93, 662; and pedagogics, 92–93; history of, 262–267; later meaning of word, 279–280; position of, in Babylonia, 262, 681. *See also* Scholars, Sages, Pharisees.

Scripture, 2, 103; and taxes (tithing), 28, 69, 270–272; word "Baal" in, 29; and festivals in Jericho, 61; reading of, in Temple, 63–64, 65; and Pharisees *vs.* Sadducees, 101–102, *see also* festivals by name; *re* purification of metals, 129–130; and plebeian law, 268–269; and hand washings, 272–280; and foreign powers, 423–424; prose replaces poetry in, 463–464; Pharisees preserve variant readings of, 650. *See also* Bible.

Second Commonwealth, 2, 7; sociological strata of Jewish Palestine during last decade of (charts), 4–5; opposition between city and country during, 24; agricultural taxes of, 28; landownership during, 38–39; angelology of, 177–185; and psalmists, 246; social conflicts *re* foreign allegiance in, 425; social strata of early, 515.

Second Isaiah, 145, 175, 176, 521; teachings, analyzed, 467–499; unity of Isaiah, 40–66, 627–629; date of, 629; home of, 629–631; list of references to Israel and Jacob in, 703.

Second Zechariah. *See* Deutero-Zechariah.

Sects and societies, rise of, in Judea, 9.

Seleucids, officials of, and patricians, 20, 512, 581, *see also* Tobiads; provincials under, 20. *See also* Syria.

Seleucus IV, 584, 683.

Self-support, of women. *See* Inheritance, Widow's rights.

Senaa, clan of the, 457, 511–512, 705.

Sennacherib, 420, 426–429, 430.

"Separatists." *See* Purity, Society for enforcement of.

Sepphoris, 41.

Septuagint, 116.

Seraiah, clan of. *See* Jedaiah.

Shabuot, 105, 113, 115–118, 119, 126, 599, 660, 667–668. *See also* Pentecost.

Shalmaneser III, 409.

Shalmaneser IV, 417–418.

Shammai, comp. with Hillel, 83; preparation for Sabbath—his anxiety, 258–259; and proselytes, 516; School of, 619, *see also* Shammaites. Quoted: on purity of olives, 53; on learning, 96; on principal's guilt in crime of agent, 285.

Shammaites, 1, 3, 652; quot. on praise of bride, 49; and work on fourteenth of Nisan, 51; and purity of olives, 52–54; and size of *mahol*, 55; and eating fowl with milk, 59–60; ill manners of, 83–89; gluttony of, 193; and extended personality, 285–286; and *'am ha-arez*, 662.

Sharon, plain of, 107.

Sheba, 381.

Shechem, 11, 385, 387, 549, 551, 591, 696.

Shekalim, 281–283, 682–683.

Shekinah, 160.

*Shema*ʻ, omission of response in Jericho, 61–67, 578, 579; response to, quot., 64, 66; and pietists, 66, 578, 661; quot., 63.

Shemayah, and Divine Providence, 255, 680; and sacrifice of paschal lamb, 643.

Shemoneh ʻEsreh, 110–112.

Sheshbazzar, 480, 500, 702.

Shiloh, priests at, 362–364.

Simeon, tribe of, 377, 385.

Simeon ben Azzai, 665; quot., 257.

Simeon ben Boethus, 80.

Simeon ben Gamaliel I, 102–103, 620, 664.

Simeon ben Gamaliel II, 79, 96; quot., 55, 287.

Simeon ben Mattathias, 595–596.

Simeon ben Shattah, 44, 128–129, 144, 612, 671, 672; quot., 684–685.

Simeon ben Yohai, 1, 39, 182, 183, 184, 185, 670.

Simeon ben Zoma, quot., 258.

Simeon the Pious, 85.

Simeon II (the Righteous), 62–63, 95, 109, 152, 154, 464, 575–576, 581, 583–584, 588; quot., 63. *See also* Great Assembly.

Simeon the Tobiad, 583.

Sins of the fathers, punishment for, 150, 197, 225.

Slaves, liability of owner for damages of, 283–285; Jeremiah denounces seizing of freedmen for, 305.

Social grace, of Pharisees *vs.* Sadducees 82–83, 663; Shammaites' lack of, 83–89; Galileans' view of Pharisees', 97.

Social strata, of Commonwealth, and equality, 342, *see also* Equality; and international policy, 344, 351, *see also* Universalism; history behind different political views of, 358–374, 385–389, *see* also Kings by name; of early Restoration, 515. *See also sub* Palestine; Exile, Babylonian.

Social struggle. *See* Equality, Landownership.

Sodom, and individual responsibility, 150; inhospitality of, to angel visitors, 166, 167–168, 178; arrogance of, 331.

Solomon, King, 376, 694; cavalry of, 189, 383; Koheleth attributed to, 235; resistance to, 382, 385; mercantile policies of, 382–384; prayer of, at dedication of Temple, 432–433, 565.

Sosenk, 387–388.

Spektor, Rabbi Isaac Elhanan, xxii;

Spengler, Oswald, xxv.

Sukkot week, 13, 84, 87; Pharisees *vs.* Sadducees on, 102–115, 611; biblical origins of, 103–107; plebeians and, 265–266; works on, 666.

Superstitions, provincial, 28–29; Law forbade use of, 92; *re* resurrection, 146.

Supreme Court, of Temple, 261, 681. *See also* Oral Law, Priests, etc.

Synagogues, *Shema*ʻ in, 64, 579; omit Decalogue, 65; avowal of resurrection in, quot., 158; origin of, 563–565; development of, 566–568, 708; importance of, 568–569; Great Assembly and, 578–579. *See also* Prayer-meetings.

Syria, conquest of Palestine, 8. *See also* Antiochus Epiphanes, Tobiads, Seleucids.

Talmud, xxiii; 1, 2, 10, 15, 27, 41, 43, 53, 70, 78, 102, 103, 120, 126, 128, 150, 186, 253, 276, 277, 512, 641.

Tarfon, 38, 96, 655; quot., 14, 86, 88, 278, 286–287.

Taxes, on agricultural products, 28, 69–72, *see also* Tithing; for Temple, 281–283; Solomon's, 383; in Judah, under Babylonia, 449; classes exempt from, under Antiochus III, 582. *See also* Tithes.

Tekoa, a barren land, 294.

Temple, David's choice of site for, 11, 650; priests of, 12, *see also* Priests; servants of, 12, *see* also Levites; ceremonies, 13, *see* also Pentecost, Atonement, etc., artisans, income of, 15; pilgrims to, 27; destruction of, 31, 282, 337, 442; ownership of Jericho property, 38, 68; boundary dispute, 39–40; *Shema'* in, 62–64, 578; and Sadducean influence, 81; candelabrum, purification of, 128–129; building of, 190, 383, 384; and psalmists, 245, 246; fuel for altar of, 277, 582; source of revenue, 281–283; plebeian loyalty to, 289–290; Ezekiel's attitude to, 318–321; Ezekiel's idea of restored, 328, 332, 334; Jehoash's legislation *re*, 413–414; *vs.* village altars, 418–420; Solomon's prayer at dedication of, 432–433, 565; under Cyrus, 480; rebuilding of, 501, 508, *see* also Haggai; builder of, a half-Jew, 556; officials of, and Synagogue, 567, 568–569; and Antiochus III, 582; Antiochus Epiphanes and, 590–593; Judah and, 593–594; Demetrius and, 594. *See also* High Priest, priests, Levites, Tobiads, etc.

Temples, controversy *re* luxurious, 187, 189–191; Ezekiel's early attitude toward provincial, 318; prophets disapprove village, 418–420, 428, 429–430; under Manasseh, 431; and Jeremiah, 436–437; Second Isaiah denounces, 494, 497–498; Joel and, 520; Ezra and, 562–563, 567–568. *See also* Synagogues.

Ten Tribes, 7, 317; exile of, in Media, 327, 444; descendants of, *see* Samaritans.

Testament of Levi, 274.

Testaments of the Twelve Patriarchs, 44, 177, 178, 179, 251–252, 268, 274, 276, 277, 561–562, 603–604, 636; quot., 178.

Theism, early, 166.

Third Commonwealth, 516–518.

Tiberias, 41.

Tibni, 389.

Tiglath-pileser, 416.

Tigranes, 613.

Tithes, 69–72; Law on, 270–272; defined, 651. *See also* Taxes.

Titus, conquest of, 22, 41.

Transjordan, 7, 187, 366, 371, 372, 374, 378–379, 386, 387, 392.

Tobiads, history of Hellenizing movement of, 580–587.

Tobiah, 560.

Tobit, 177, 179, 272.

Tohorot, Order, 654. *See also* Purity.

Torah, Pharisees and, 9–10; provincials' disregard of, 28; on Day of Atonement, 56–57; and Shabuot, 116; and embalming, 146; poverty and study of, 193; and Divine Providence, 197; and human equality, 342–343; and pacifism, 351–355. *See also* Law.

Torrey, C. C., cited, 325; on Second Isaiah, 627–628; on Ezekiel 1.1–2, 632.

Toy, quot., 153; cit., 211.

Trajan, 88.

Treaties, Hosea denounces contradictory, 299–300.

Trito-Isaiah, is there a, 489, 627–628.

Trito-Zechariah, predicts world conflict and its results, 542–545, 574; ends period of prophecy, 577.

Tyre, effect on Ezekiel of visit to, 321–322, 335; Ezekiel uses to inveigh against Babylonia, 336–337, 690; David and, 377; Solomon visits, 383; Omri and, 390, 392; Exile deflects Jerusalem's commerce to, 447, 449.

Tyropoean valley, 14, 15.

Universalism, plebeians', 344–345, 347–350; of Amos, 356; of Second Isaiah, 490–496; of urban prophets, 535–541. *See also* Social strata, Equality.
Urban-rural conflict, xxiii.
Urbanity. *See* Social grace.

Vengeance, and punishment, 197–199; Law-giver decides against, 199; divine, in Nahum, 307–309, 686; in Joel, 522, 524–526.
Vespasian, conquest of, 13, 31.
Village shrines. *See* Temples.
Virginity, Sadducees *vs.* Pharisees *re* proof of, 641–642.
Vows, 188–189; modern scholars' view of "release" from, 644; R. Judah ben Ilai quot. on, of Galilee and Judah, 660.

War. *See* Militarism.
Water Drinkers, 9, 109, 650.
Water-libations, 180, 192. *See Sukkot* week.
Water supply, of Jerusalem, 106.
"Wedding" and betrothal, 656–657.
Widow's rights, 47-48.
Wine, purity of, 54; *vs.* water libations, 107–110; cost of, in Babylonia and Palestine, 651. *See also* Joel, Deutero-Zechariah.
Wisdom literature, see Proverbs, Job, Koheleth.
Women's rights, 665–666. *See also* Inheritance, Widow's rights, Emancipation.
World conflict, Trito-Zechariah predicts, and its results, 542–545, 574.
Worship, form of, patrician, plebeian, provincial comp., 345.
Worshipers at Sunrise, 9, 650.
Writing, ceremonies involving, in Jerusalem *vs.* provinces, 29; word, synonymous with liberal education, 264.

Yabneh, succeeds to Jerusalem's culture, 447.
Yannai, anecdote of peasant and, 35-36.
Yeb, island of, 444. *See also* Elephantine papyri.
Yedaiah. *See* Jedaiah.
Yehoyarib. *See* Jehoiarib.
Yom ha-Kippurim. *See* Atonement, Day of.
Yoyarib. See Jehoiarib.

Zadok, 22, 80, 377, 662.
Zadokite Document, 193, 643.
Zadokites, 22, 80, 586. *See also* Sadducees.
Zechariah, 171, 175, 176, 504–507, 704, 705; quot., 112; cit., 173, 178, 179, 189. *See also* Deutero-Zechariah, Trito-Zechariah.
Zechariah ben ha-Kazzab, 22, 142.
Zedekiah, King, 406, 441, 690, 698.
Zephaniah, 307, 310, 316; his concept of equality, analyzed, 311–312; quot., 431–432.
Zerubbabel, 500–508 *passim*.
Zidon, commerce with, 390; Jezebel introduces gods of, 394–395.
Zimri, 388-389.
Zoroastrianism, xii, 173, 470, 478, 674.

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